



ZONING BOARD OF APPEALS SHREWSBURY, MASSACHUSETTS AGENDA

Regular Meeting: Monday, April 27, 2015, 6:30 PM

Location: Old Selectmen's Room – Municipal Office Building – 100 Maple Avenue

1. Review and Approve Minutes

2. Sign Bills

3. Public Hearings

6:30 PM 307 Main Street – Madirock, Inc. – *Request for Withdrawal*
Use Variance – Catering business and public relations/publishing business

12-16 Harrington Avenue – Carl Abbascia
Special Permit – Operate an outdoor food vending service

136 Prospect Street – Birch Brush Realty Trust/Khaja Shamsuddin
Variance – Lot size

6:45 PM 73 Summer Street – Matt George
Special Permit – Construct an in-law apartment

1000 Main Street – Shrewsbury Farmer's Market, LLC
Amendment to Special Permit – Operate a farmers' market

4. New Business 235 Main Street – Dr. Peter T. Zacharia
Request for Use Variance – Medical office building in a residential district
Extensions Variance – Sign (square footage & front setback)

Withdrawal Policy

5. Old Business Master Plan Update

6. Correspondence

TOWN OF SHREWSBURY
ZONING BOARD OF APPEALS
PUBLIC HEARINGS
RICHARD D. CARNEY MUNICIPAL OFFICE BUILDING
100 MAPLE AVENUE
SHREWSBURY, MA

April 27, 2015 6:30 PM

To hear the appeal of Carl Abbascia, 12-16 Harrington Ave., Shrewsbury MA, for a Special Permit to the Town of Shrewsbury Zoning Bylaw under Section VI-Table I, to operate an outdoor food vending service business in the Commercial District upon property located at 12-16 Harrington Ave. The subject premise is described on the Shrewsbury Assessor's Tax Plate 32 Plot 112.

April 27, 2015 6:30 PM

To hear the appeal of Khaja Shamsuddin, Birch Brush Realty Trust, 23 Peterson Road, Natick MA, for a Variance to the Town of Shrewsbury Zoning Bylaw under Section VII-B.7.a.1, to create a rear lot having 26,087 square feet of land area for single family use in the Residence B-1 District upon property located at 136 Prospect Street. The subject premise is described on the Shrewsbury Assessor's Tax Plate 17 Plot 12.

April 27, 2015 6:45 PM

To hear the appeal of Matt George, 73 Summer Street, Shrewsbury MA, for a Special Permit to the Town of Shrewsbury Zoning Bylaw under Section VI-Table I, to construct an in-law apartment in the Residence B-1 District upon property located at 73 Summer Street. The subject premise is described on the Shrewsbury Assessor's Tax Plate 22 Plot 334.

April 27, 2015 6:45 PM

To hear the appeal of Shrewsbury Farmer's Market, LLC, 38 Stoney Hill Rd, Shrewsbury MA, for an amendment to the Special Permit granted April 28, 2014 under The Town of Shrewsbury Zoning Bylaw Section VI-Table I, to operate a Farmer's Market in the Rural B District upon property located at 1000 Main St. The subject premise is described on the Shrewsbury Assessor's Tax Plate 18 Plot 30.

Paul M. George, Clerk

WORCESTER TELEGRAM: Fridays, April 10 & April 17, 2015



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Draft

ZONING BOARD OF APPEALS
RICHARD D. CARNEY MUNICIPAL OFFICE BUILDING
100 MAPLE AVENUE
SHREWSBURY, MA 01545-5398

February 23, 2015

LOCATION: Selectmen's Meeting Room, Municipal Office Building

MEMBERS PRESENT: Paul George, Clerk/Acting Chair
Fred Confalone
Melvin Gordon
Dale Schaetzke
Lisa Cossette, Associate Member
Maribeth Lynch, Associate Member

Mr. Rosen opened the meeting at 6:30PM and reviewed the procedures.

Minutes

The December 29, 2014 minutes were presented for approval.

VOTE TAKEN:

Motion: Mr. Gordon moved to approve the minutes. Mr. Schaetzke seconded. Mr. Confalone abstained. Motion carried.

Minutes: The minutes of the December 29, 2014 meeting were approved 4-0.

Bills

Mr. George announced the following bills:

- \$161.00 to the *Telegram & Gazette* for the December 29, 2014 legal notices.
Total = \$161.00

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the bills. Mr. Gordon seconded. Motion carried.

Bills: The bills were unanimously approved and signed.

Hearing 1

3 Flagg Road – William Anthony Galli

Variance – Construct a deck (front setback)

Mr. George read the legal notice into the record. Other acting Board members included Ms. Cossette, Mr. Confalone, Mr. Gordon, and Mr. Schaetzke.

Presentation

- Mr. Galli was present as was Atty. Richard Ricker to represent him. Atty. Ricker displayed the plot plan. Mr. Galli bought the property last summer. The deck had fallen off over two (2) years before. He would like to replace it especially since it is a second means of egress from the existing sliding

glass doors. Two (2) photos were submitted (H1:E1-2). It was also mentioned he would also like to build a fence on the Route 20 side.

- He explained that the lot is on the corner of Flagg Road and Route 20/Hartford Turnpike and also is a waterfront lot. It is a long, narrow lot, and there are Conservation issues as well. He is limited as to what he can do. He would need a Variance for anything he did. The deck, as shown on the plot plan, would be 15.4 feet from the front lot line of Hartford Turnpike; the house itself is closer by 4-5 feet. The hardship is the placement of the house on the lot, since the whole house is in the setback.
- This is for a single family use. It is necessary for egress. There would be no nuisance.

Board Questions

- Mr. George asked the size of the previous deck. Atty. Ricker said they didn't know; they could only get an idea from the pre-existing frame showing in the photos submitted.
- Mr. Schaetzke clarified it would be a bit wider than the sliding glass door openings. Yes.
- Mr. Gordon checked as to whether it fell down or was taken down with or without a permit. Atty. Ricker said that they had no idea.
- Ms. Cossette asked Ms. Las what the setback was in this zoning district. Ms. Las clarified that in the Limited Business District, which does allow residential housing, the requirement is 15 feet. However, along the frontage of Hartford Turnpike the requirement is 50 feet. Although the plot plan shows 15 feet, the property line is 20-25 feet from the Hartford Turnpike pavement.
- Mr. George asked what size deck he was proposing. Mr. Galli said, 15 feet by 8 feet, which is based on the frame that was left.
- Mr. Gordon asked if there would be a stairway from the deck to the back yard. Atty. Ricker, yes.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- The request made sense to the Board as it provides a necessary means of egress.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Variance for 3 Flagg Road. Ms. Cossette seconded. Motion carried.

Hearing 1: The Variance for 3 Flagg Road was unanimously approved.

Hearing 2

9 Fifth Avenue – 9 Fifth Ave, LLC c/o Nancy Castle

Special Permit Amendment – Alter building setback (side setback)

Mr. George read the legal notice into the record. Other acting Board members included Ms. Cossette, Mr. Confalone, Mr. Gordon, and Mr. Schaetzke.

Presentation

- Atty. Ricker was present to represent 9 Fifth Ave, LLC and Nancy Castle. He displayed the plot plan. He explained that they are requesting an amendment to the Special Permit granted in 2012. It was to replace two (2) smaller houses on the lot. The Permit Extension Act applies in this case due to the date it was granted.
- The original side setbacks granted were 4.5 feet at one end and 5.9 feet at the other wider end. They are now requesting to maintain a uniform 4.5 feet all along that side, but no closer. Atty. Ricker said that in designing the interior of the house to be built on the lot, Ms. Castle realized that without the extra footage she would not be able to have the layout she wanted. The existing wall on that side would come down.

Board Questions

- Mr. George commented that it does make for a smoother dwelling line, but why was this not asked for at the previous hearing? Atty. Ricker said he believed it only came about later in Ms. Castle's discussions with the builder.
- Ms. Cossette clarified that the retaining wall would be changing. Atty. Ricker replied that it will be eliminated now since it does not seem necessary, since there is still a considerable distance to the next house.
- Mr. George asked if this had gone before the Conservation Commission. Atty. Ricker said it had and that most of the conversation had been on the lake side wall to be rebuilt.
- Mr. Gordon commented that this is a unique neighborhood.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- None.

VOTE TAKEN:

Motion: Mr. Gordon moved to approve the Special Permit Amendment for 9 Fifth Avenue. Mr. Schaetzke seconded. Motion carried.

Hearing 2: The Special Permit Amendment for 9 Fifth Avenue was unanimously approved.

Hearing 3

32 Spring Terrace – Christine Yeaton

Special Permit – Remove carport & construct a garage (front setback)

Mr. George read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. Gordon, Ms. Lynch, and Mr. Schaetzke.

Presentation

- Ms. Yeaton was present. She bought the 1956 ranch in its original condition at the beginning of the year. She said the existing carport is "structurally challenged", and she would like to replace it with a garage and breezeway. A photo was submitted showing the carport attached to the side of the house (H3:E1).
- The required front setback is 30 feet in this zoning district (Residence B-1). She proposes the garage would have the same front setback as the carport, which is 24.4 feet. She would also like to make the garage wider than the carport's narrow 11 foot width, but she has room on that side to do it.

Board Questions

- Mr. Confalone questioned why this was a Special Permit and not a Variance. Ms. Las clarified that it is because this is a pre-existing, non-conforming structure, and the replacement structure will not be more non-conforming.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- Mr. Gordon commented that this would be an improvement.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Special Permit for 32 Spring Terrace. Ms. Lynch seconded. Motion carried.

Hearing 3: The Special Permit for 32 Spring Terrace was unanimously approved.

Hearing 4**42 Sewall Drive – Lori Dawson****Variance – Construct deck (rear setback)**

Mr. George read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. Gordon, Ms. Lynch, and Mr. Schaetzke.

Presentation

- Ms. Dawson, the owner, was present, as was her contractor, Tom Hawkins. Ms. Dawson explained that there are already some decks on the property, but none of them are attached to the house. She has some large windows in the rear of the house overlooking the pond, and she would like to have a deck in that location. There is some sloping of the land on the lot which is a factor topographically. It is not a tremendous slope, but enough that some older relatives cannot easily use the back yard.
- She would like this deck to run the length of the house and extend 14 feet out from it. This would bring it to be 33.4 feet from the water and so she would need 16.6 feet of relief granted from the rear yard setback.
- She added that this would not be out of character for the neighborhood. Many houses on this private right of way dirt street – including the house she used to own next door – have decks closer to the pond than this.

Board Questions

- Mr. George asked if the other decks would be removed if this request were approved. No, they are still in good shape.
- Ms. Lynch asked if the existing decks were made of wood. Yes. Ms. Dawson offered more detail as to which deck was original to the previous owner and where there was a blacktop driveway and walkway on the property.
- Mr. Gordon asked how much of a slope there is. Mr. Hawkins said it is roughly 15%.
- Mr. Gordon commented that it was known that surveys conducted next to Newton Pond were not always known to be measured accurately in the past, but he thought this request did not derogate from the Bylaw.
- Mr. Confalone asked if the northern most deck was attached to house. Ms. Dawson said no. The kitchen door corner butts up against it, but does not overlap with it. Mr. Hawkins added its grade is about 4-5 feet below the first floor, but that the proposed deck is within a few inches of the first floor. Mr. Confalone also asked if it would be attached with stairs? Yes.
- Mr. Gordon was also curious as to whether the house was on Town sewer. No. Ms. Dawson added that the houses in this area were once part of Worcester Sand and Gravel's property.

Abutters

- The Board received a letter from David Gerber, 44 Sewall Drive, in favor of the project.
- As there were no other comments from the public, the hearing was closed.

Board Discussion

- Mr. Schaetzke commented this was needed as a means of egress.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Variance for 42 Sewall Drive. Mr. Gordon seconded. Motion carried.

Hearing 4: The Variance for 42 Sewall Drive was unanimously approved.

Hearing 5**5 Church Road – Heald & Chiampa Funeral Directors, LLC****Special Permit – Expand rear covered entry (front setback)**

Mr. George read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. Gordon, Ms. Lynch, and Mr. Schaetzke.

Presentation

- John Heald was present, as was John Grenier, J.M. Grenier Associates, to represent Heald & Chiampa. A site plan was displayed. Mr. Grenier explained that Heald & Chiampa purchased the property about four and half years ago. Since then they have made many interior improvements and upgrades. They are currently in the process of adding insulation and of replacing siding and windows.
- There is currently an unused door on the Church Road side of the building that they would like to use. They believe it will help with better internal flow when they have large wakes to have people enter via one door and exit via the other. They would like to extend the current covered entryway by 11 feet in order to include this other door way. The overhang is currently 3 feet off the property line and about 5-6 feet to the curb.
- This is a Special Permit request because they would not be going any closer to the setback than where the building currently is.

Board Questions

- Ms. Lynch asked if they would be replacing the existing canopy in order to do this. Mr. Heald said yes, and it will get a new roof, new supports, and a new door as well.
- Mr. George asked if the sidewalks would be changing. Mr. Grenier said they would extend the existing concrete slab under the overhang. Mr. George followed with whether they would be changing the sidewalks on the street side. No.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- It was thought this would be an improvement.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Special Permit for 5 Church Road. Ms. Lynch seconded. Motion carried.

Hearing 5: The Special Permit for 5 Church Road was unanimously approved.

Hearing 6**36 North Quinsigamond Avenue – Michael Almada, TRM, Agent for T-Mobile Northeast****Finding of Consistency or Special Permit Amendment – Relocate existing & new antenna**

Mr. George read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. Gordon, Ms. Lynch, and Mr. Schaetzke.

Presentation

- Mr. Almada was present. He is a consultant with TRM, representing T-Mobile. He explained this request is different from the usual requests in that it is for a Finding of Consistency. There is existing equipment at this site with multiple carriers supported, which is the norm today. T-Mobile's equipment is the highest canister there. They proposed to build a faux brick penthouse to enclose their equipment. There would be no changes to the ground equipment. The public will not see more equipment than what is already present there.

- He gave some history as to the evolution of telecommunications law. In 1996, there was a federal act regarding the telecommunications industry. Following that the FCC provided further clarification, since many carriers needed to modify existing equipment frequently as technology improved. New sites are rare at this point; most upgrades are made to existing sites almost annually, trading out old equipment for new.
- In 2012, Congress tried to formalize what the FCC had been saying in terms of what constitutes “substantial change” for modifications (not for new sites, which still requires a municipal Special Permit or Variance). Congress said in the Federal Tax Relief Act that these changes could be “administrative” within municipalities now, by simply administering a building permit, rather than “discretionary”, by the Special Permit or Variance process.
- Many questions still followed in many Building Inspectors’ offices. So, in reaction to this, a guideline document was issued in January 2013 and was then formalized in October of 2013, giving further clarification on towers and base structures. Thus, “substantial change” for modifications is now defined as:
 - General – By not more than 1 array or antenna.
 - Height – By not more than 10%.
 - Width of support structures – By not more than 20 feet.
- As for the history of this site, Nextel was the original carrier and held the Special Permit granted in 2000. Then T-Mobile joined the site in 2006.

Board Questions

- Mr. George asked if T-Mobile was the only one using these antennas. Each carrier has their own. Mr. Almada explained that when they applied for the building permit to make the modifications, the Building Inspector recommended that their proposed changes be reviewed by the Board.
- Ms. Las acknowledged that after listening to Mr. Almada’s explanation, Shrewsbury’s Zoning Bylaw is not consistent with the 2012 Federal Communications Act or with the subsequent federal updates. So voting for the Finding of Consistency would make Shrewsbury consistent with these federal acts. She also noted that the application and supporting plans submitted by the applicant were incorrectly marked with 28 North Quinsigamond Avenue. She advised that any future documents communicated be corrected to number 36 going forward.
- Ms. Las asked where T-Mobile stood with the Shrewsbury Housing Authority, the site’s host, at this time. Mr. Almada said he understood after speaking with Atty. Richard Ricker that there was a question of the SHA being entitled to additional leasing fees. They are now in agreement and have a signed consent. He offered to submit a copy of that document following the meeting.
- Mr. Gordon asked how the information submitted regarding the Mount Washington, MA Special Town Meeting was relevant. Mr. Almada said it was in reference to the Federal regulations – that municipalities should be wary of regulating telecommunications on their own, outside of the guidelines the government has already provided. Mr. Gordon followed with whether cell phones were not previously regulated. Mr. Almada replied that the 2012 Act covers federally licensed carriers who provide wireless communication services.
- Mr. Gordon asked if Metro PCS owned this site before. Mr. Almada replied that there are five (5) carriers currently present at this site: AT&T, Sprint/Nextel, T-Mobile, and Verizon. Metro was acquired by T-Mobile in the past year.
- Mr. Confalone asked for clarification on the changes proposed. Mr. Almada replied there are no changes on the ground, but there will essentially be a twenty-four (24) foot square penthouse – or 8 ½ feet tall by 3 feet wide - to replace the existing structure present.
- Mr. Schaetzke asked what the Board was being asked to find with the Finding of Consistency and what would be the appropriate wording. Mr. Almada said since they have a Special Permit in place that this use is consistent with the Bylaw and with having a building permit (not with having another new Special Permit granted). An affirmation of that would confirm both the Federal law and the

intent of Shrewsbury Bylaw. Ms. Las gave a suggested wording: To move to find that the application as submitted on January 23, 2015, by TRM, Agent for T-Mobile Northeast, is consistent with the two (2) decisions granted in 2000 and 2006, in accordance with the plans submitted.

- Ms. Lynch asked for clarification on the antenna height changes involved. Mr. Amada said it is moot because they would be hidden; however, the size of concealment structure is the same height. Ms. Las directed them to pages A-3 and 8-2 of the submitted diagrams. Mr. Almada added that it is not presently a box-like penthouse. Ms. Lynch, but there is an existing structure in place? Yes.
- Mr. George asked for the overall height for the top of the structure on the building. Ms. Las said it is ten (10) feet higher than the existing condition. Mr. Almada added that the height exception of the Bylaw applies. The existing building roof is 73.6 feet, the top of the penthouse would be 91.4 feet, and there is an existing T-Mobile antenna about 97 feet high.
- Mr. Gordon asked Ms. Las about this being a “finding” as opposed to a decision. He asked if the Board had enough information for this. Ms. Las advised, Yes. Mr. Almada added that this was not more non-conforming than what was already existing. Mr. Schaetzke also asked why it was the legal notice had advertised it as a Special Permit. Ms. Las said she and the Building Inspector provided the widest possible interpretation at the time, since then they have learned more about Federal Act involved.
- Mr. George asked if there should be any kind of limit placed on the finding. Ms. Las said it could be limited to the plans as submitted. Mr. George also wondered if there should be any height restrictions placed. Ms. Las advised that that could be decided at another meeting.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- Mr. Confalone said it's not more “gaudy” (conspicuous) than the other telecommunications equipment currently there.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Finding of Consistency for 36 North Quinsigamond Avenue. Mr. Confalone seconded. Motion carried.

Hearing 6: The Finding of Consistency for 36 North Quinsigamond Avenue was unanimously approved.

Hearing 7

957 Boston Turnpike – Crandall Hicks Company, Inc.

Variance – Allow outdoor display of products

Variance – Eliminate sidewalk along frontage

Mr. George read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. Gordon, Ms. Lynch, and Mr. Schaetzke.

Presentation

- Atty. Todd Brodeur, of Fletcher, Tilton, was present to represent the appellant. He reminded the Board that they had issued a Use Variance in 2014 for a warehouse facility on a different portion of this site, which is the former Shrewsbury Nurseries. Boston Lawnmower, which is currently located in Westborough, will relocate to the site. It will include a 20,000 square foot retail structure with a garage in the rear. They have gone before the Planning Board for Site Plan Approval and been approved. What is for discussion now is the retail area of the site. The first Variance request is for the sidewalk, and the second Variance is for display on the front lawn area.

- As for the first Variance request, it would be a sidewalk from “nowhere to nowhere”. Meaning, this site is isolated from other developed areas of Route 9, and there is no foreseeable use planned nearby to connect to. Walnut Street has no sidewalk to connect to either.
- As for the second Variance request, they would like to have two small display areas (which were shown on the site plan) to roll out a few lawnmowers or snow blowers, depending on the season. They would be limited to the areas shown on the submitted site plan, which are 1) near the building, and 2) near the sign. The display items would be taken in for storage each night.
- Mr. Brodeur recognized that although outdoor display was open to interpretation, their request seemed consistent with other similar businesses in town.

Board Questions

- Mr. George expressed concern for the visibility of drivers, of not obstructing the sign near the display area proposed on the east side. Atty. Brodeur replied that this type of equipment is generally not so tall as to obstruct. But Mr. George disagreed and said that some equipment can be larger. He said he had no objection with the display area further west. Mr. Gordon thought both areas should be allowed.
- Ms. Lynch asked if the equipment would be taken in at night for both display areas. Yes.
- Mr. George asked where the sign would be. Mr. Brodeur said that the exact location still had to be determined.
- Mr. Schaetzke asked how these display areas are different from putting in a paved parking area. Ms. Las stated that “outdoor storage” is open to the Building Inspector’s interpretation. Usually if the display area is abutting the building, it is not an issue. But being situated farther out from the building, the Building Inspector recommended a review by the Board. The reasoning is that items/uses not explicitly mentioned as allowed in Zoning Bylaw are thought to be prohibited. Retail is currently confined to within a building. However, a warrant article to change the zoning before the May Town Meeting may change this.
- Mr. Schaetzke said he is aware that enforcement is an issue in some areas of town. Ms. Las said defining specific areas of the site would make this decision enforceable. Mr. Schaetzke also said there seemed to be no specific dimensions noted for the display areas on the site plan. Ms. Las read them as approximately 25-30 feet by 120 feet on the east side and 20 feet by 120 feet on the west side. She added that she could note those details as submitted in the written decision.
- Mr. Schaetzke followed with whether there should be a discussion to limit the number of items displayed. Ms. Las said she would not recommend it as the size of the items displayed could vary.
- Mr. Confalone asked if what they proposed here was consistent with what they do in Westborough. Mr. Brodeur replied that it’s different in Westborough – it is a leased space, there is less warehousing and more pavement, and the outdoor display areas are less defined. Mr. Brodeur added that having designated display areas made sense for the Shrewsbury operation.
- Mr. George asked how far off the layout was the display area closest to Route 9. Mr. Brodeur responded that was approximately 25-30 feet off the asphalt curb. He pointed out that it is near where the new freestanding sign will be.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- Mr. George again commented he was against the display area east of the entrance because he believed it would be a distraction for westbound traffic.
- Mr. Schaetzke asked Ms. Las how this decision might be affected later if the Zoning Bylaw is later amended at Town Meeting for outdoor display.
 - Ms. Las said since this decision would be pre-existing, it would stand as decided by the Board today. She added that the Planning Board has the point of view that outdoor display

can be reviewed through the site plan process. This request was reviewed and was found to be adequate and appropriate for this use.

- Mr. Confalone said he didn't believe it would block their signage, and he didn't have a problem with it. He's seen how they handle their site in Westborough, and it appears to be professionally done. Mr. Schaetzke agreed. He saw no safety concerns and recognized that it is for marketing purposes – to make the site attractive and to draw people in.
- Ms. Lynch said as long as they adhered to what was decided to today, it would give some order to the site.
 - Ms. Las commented that if they did not adhere to it, the Building Inspector has the enforcement process of an order letter and fine at her disposal, if necessary.
- It was mentioned that Wagner had also recently been before them to request a Variance from the sidewalk requirement for their location on Route 9, and this had been granted.

VOTE TAKEN:

Motion 1: Mr. Schaetzke moved to approve the Variance for outdoor display, as detailed on the site plan, at 957 Boston Turnpike. Mr. Gordon seconded. Mr. George opposed. Motion carried.

Hearing 7: The Variance for 957 Boston Turnpike was approved, 4-1.

VOTE TAKEN:

Motion 2: Mr. Schaetzke moved to approve the Variance for the elimination of a sidewalk at 957 Boston Turnpike. Ms. Lynch seconded. Motion carried.

Hearing 7: The Variance for 957 Boston Turnpike was unanimously approved.

Hearings 8 & 9

**163 Boston Turnpike & 15 Baker Avenue – Grossman Development Group
Special Permit – Reconfigure existing non-conforming parcel**

**193 Boston Turnpike & Abutting Parcels – Grossman Development Group
Variance – Implement a site specific signage design**

Mr. George read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. Gordon, Ms. Lynch, and Mr. Schaetzke.

Presentation – Reconfigure parcel (Hearing 8)

- Mark Hebert, Vice President of Development, Grossman Development Group; Eric Brown, Architect, PCA Architects; and Brian McCarthy, Civil Engineer, R.J. O'Connell & Associates Engineering; were present to represent the Grossman Development Group.
- This site for the "Lakeway Commons" project is just over twenty-three (23) acres. It includes the Spag's Building 19 property and several surrounding parcels, such as Lovey's Garage and Tileworks. Joining with these additional parcels has enabled them to offer some additional features to the project and the site layout. Harry Leiser, owner of the Sherwin Williams' site, has also asked that his site be fully integrated into the new development and have the same design look, etc.
- They have made an effort to include items the Town has wanted for this mixed use site. It will incorporate 100,000 square feet of retail in the front half of the site, then will have two hundred fifty (250) garden-style apartments and fourteen (14) townhouses toward the rear half of the site. They will also incorporate as much pedestrian access as possible, and it will include outdoor features for dining or having coffee outside.
- They have also met with the WRTA to arrange for a bus route to come into the center of site in a common area for pedestrian use, not just on the outer side/Route 9 side of the site.

- From a layout standpoint, it will have multiple access points – two (2) entrances/exits off Route 9 – one (1) between Baker Ave and Lake View Ave and one (1) off Harrington Ave. The Route 9 entrance will have a fully signalized light and entrance way with three (3) lanes of traffic. This traffic flow provide better, safer access all around the Sherwin Williams. In the MEPA process, the DOT suggested a signal would be needed off Plainfield by the Sherwin Williams.
- This Special Permit request is to alter an existing non-conforming property, which is in both the Commercial Business and the Lakeway Overlay districts. The existing and proposed conditions were displayed on site maps. It is currently non-conforming in the following ways: 1) square footage (40,000 square feet is required; it has 14,000 square feet), 2) frontage, 3) front and side setbacks, and 4) open space. There is also no stormwater treatment. Water currently flows untreated over the Spag's property to the King's Brook culvert's catch basins.
- They propose to reduce these non-conformities in the following ways: a) lot size will increase by adding a small portion of the Spag's property to it, b) open space will improve with curbed, landscaped islands containing trees and shrubs, c) the current twenty-four (24) parking spaces will increase to twenty-seven (27), and d) the stormwater will be incorporated into the overall site's stormwater plan.
- There is a thirty (30) foot grade from the front to the back of the site.

Board Questions

- Mr. Gordon asked if Baker Ave will remain a private (not a public) way. Yes, it will shift slightly, but will remain an entrance/exit. Muzzy Ave & Olympia Ave will be connected and ultimately turned over to the Town.
- Mr. George asked if there would only be one (1) access point into the site. No, there would be at least two (2) in and out of the parking lot.
- Mr. Leiser requested that it look like it belongs to their center.
- Mr. Confalone asked for more detail on the stormwater treatment process. The sediment will be removed before it is sent to the culvert. They have also been working with the Engineering Department, which has requested that the stormwater system go beyond the minimum requirements and recharge the groundwater as much as possible.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- Ms. Lynch commented that their plan makes sense, and Mr. Confalone added that they were improving the non-conformities.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Special Permit for 163 Boston Turnpike and 15 Baker Ave. Ms. Lynch seconded. Motion carried.

Hearing 8: The Special Permit for 163 Boston Turnpike and 15 Baker Avenue was unanimously approved.

Presentation – Signage (Hearing 9)

- Mark Hebert, Vice President of Development, Grossman Development Group; Eric Brown, Architect, PCA Architects; and Brian McCarthy, Civil Engineer, R.J. O'Connell & Associates Engineering; were present to represent the Grossman Development Group.
- Mr. Hebert began that they have been in the process of getting approval before all the Town Boards for the "Lakeway Commons" project for about a year now. They began with nine (9) articles before the Town Meeting and have recently been before the Planning Board for Site Plan Approval and the granting of several Special Permits. They also have their certificate from MEPA and have received their Order of Conditions from the Conservation Commission.

- They are requesting a Variance for their signage. Similar to the town of Dedham, in which they also struggled to fit their sign needs into their Zoning Bylaw, they are before the Board for this site specific request. It involves a shopping center, which will have a lot of internal signage. Since multiple types of signs would be available to each tenant, each tenant could potentially come before the Board and the Building Inspector multiple times. However, this all-encompassing solution for the site would prevent each tenant from having to come before the Board for a Variance for each sign and would only involve the Building Inspector's issuance of their building permits, as long as the tenants comply with their criteria they set. They will make every effort to vet each signage request first before it gets to the Building Inspector.
- There is a hierarchy of signs. There will be primary, supplemental, and freestanding pylon signs. Primary signs, which appear most prominently above storefront entrances and on awnings, can have either channel letters, backlit letters, facelit letters, cabinets with push through letters, or externally lit letters. Supplemental signs are smaller than primary, but similar. They also encourage blade signs, which are more pedestrian-friendly. Examples of all these types were shown, including for Whole Foods. Knowing the Spag's history, Whole Foods has requested to be in the landmark location of being front and center on Route 9.
- The freestanding pylon signs can come in a modern or traditional look. Mockups for the freestanding signs were displayed, showing their various heights and proposed designs.
- Mr. Hebert confirmed that all the plans shown to the Board were consistent with what was shown to the Planning Board.

Board Questions

- Mr. Gordon asked Ms. Las if this would be a change to our sign Bylaw and whether it would have to go before Town Meeting. Ms. Las said no, that this is a request for a sign Variance. In future, however, the sign Bylaw could be updated.
- Mr. Gordon asked about the blade signs as compared to what is across the street at White City. Ms. Las reminded the Board that White City had been before them for a Variance to have blade signs. This proposal was different in that it incorporates blade signs as part of a comprehensive sign policy.
- Mr. Brown stated that their goal was to make the project beautiful and safe, as well as fun for shoppers.
- Mr. George asked how the size of a sign would be decided, whether it was by the size of the tenant's building. Yes, e.g., Whole Foods' signs would be decided by their square footage. The detail of their entire sign proposal was submitted in the written in document the Board received. There is not only a hierarchy of allowed signs, but a list of area and height limitations too.
- Mr. George followed with how many supplemental signs would be allowed for each? Mr. Hebert said there are no limits. Mr. George asked if all would be tastefully done. Yes, they are currently reviewing all the tenants' submitted work. Every tenant received the sign criteria in their lease agreement. There will be no neon, no movement, no blinking or flashing; in other words, they will not resemble traffic lights or signs. Mr. Hebert pointed out list of restrictions listed in the back of the document.
- They are trying to emulate Market Street Shops in Lynnfield. This project is similar to that in its architecture, though smaller. Legacy Place in Dedham is more urban, but similar in layout.
- Ms. Las asked if they could comment on temporary signs. Mr. Hebert replied that they had checked with the Building Inspector on this sign plan, and each tenant would be allowed to have a temporary sign for sixty (60) days, e.g. upon opening. Each tenant would be allowed twenty (20) square feet.
- Mr. Confalone checked on the location of the pylon signs. There will be two (2) monument-type pylon signs – a larger, 25 foot one will be on Route 9 near Baker Ave/Lovey's Garage and will be set back about ten (10) feet, and then a smaller, 19 foot one will be at the intersection of Harrington Ave and Spag's Alley and be set about 30 feet back (so as not to conflict with the CVS sign when coming from the west). Mr. Gordon followed with whether those would be situated parallel to the

main roads. No, they will be perpendicular to them. Also, the look will be basically the same for both, though the specific tenants advertised on each may vary.

- Mr. George asked if there would be signage at Muzzy Ave. No, there may be some wayfinding or directional signage, but it would be at a lower profile and scale.
- Mr. George asked if there would be signage on Lake View Ave. None is planned, but there will be one (1) entrance from it. It also will be landscaped and have a retaining wall along it.
- Mr. Gordon asked when they planned to start. Mr. Hebert said they hoped for late spring ideally. They have two (2) more meetings – one with Planning Board and then with the Special Town Meeting to relocate the right of way for Baker Ave to shift slightly east.

Abutters

- Nancy Castle, 4 Richard Ave, approached the displayed site map to have a closer look and to better understand the project.

Board Discussion

- Ms. Las said she reviewed the final version of the supporting documents submitted by the appellant today and recommended that several typos be corrected and that it be dated for the official record. This does not change substance of what was submitted, however.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to approve the Variance for 193 Boston Turnpike and abutting properties. Ms. Lynch seconded. Motion carried.

Hearing 9: The Variance for 193 Boston Turnpike and abutting properties was unanimously approved.

New Business

Withdrawal Policy

Ms. Las suggested waiting to hold this discussion until a subsequent meeting when the Chair was present.

VOTE TAKEN:

Motion: Mr. Schaetzke moved to continue the discussion on the Withdrawal Policy. Mr. Gordon seconded. Motion carried.

New Business: The Withdrawal Policy was continued to the next regularly scheduled meeting.

Old Business

Master Plan Update

Ms. Las said that they have held several meetings to review the seven (7) draft elements: Economic Development, Housing, Land Use, Natural and Cultural Resources, Open Space, Public Facilities, and Transportation. The last element discussed was Economic Development, and the next will be Transportation and Housing on April 9th. There are currently about 15 people involved in the meeting process. They decided to take more time and to have more public meetings and forums.

Ms. Lynch complimented Ms. Las and the consultants for running a smooth, collaborative, and interesting process.

Mr. George asked how it would be implemented. Ms. Las replied that although Massachusetts General Law does not mandate a Master Plan, it states that a Town's Planning Board should direct the process. The Planning Board commissioned that the Master Plan be updated and put the funding in place to do so. After the Planning Board itself adopts the new draft, the draft would then go before the Selectmen for adoption, and then it would be acknowledged at the Town Meeting. The Selectmen would also recommend a committee to address the goals, action items, and recommendations.

Correspondence

None.

The meeting adjourned at 8:42 PM.

Respectfully submitted by,

Michele M. Bowers

Reviewed by,

Kristen Las, AICP

Approved by vote of the Board,

Paul M. George, Clerk



TOWN OF SHREWSBURY
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5338

March 30, 2015

LOCATION: Selectmen's Meeting Room, Municipal Office Building

MEMBERS PRESENT: Ronald Rosen, Chair
Paul George, Clerk
Fred Confalone
Melvin Gordon
Lisa Cossette, Associate Member

Mr. Rosen opened the meeting at 6:30PM and reviewed the procedures.

Minutes:

The February 23, 2015 minutes were not ready for approval. They will be presented at the April 27, 2015 meeting.

Sign Bills:

Mr. Rosen announced the following bills:

- \$402.50 to the *Telegram & Gazette* for the February 23, 2015 legal notices.
 - \$165.00 B&B Printing for the ZBA return address envelopes for abutter mailings.
- Total = \$567.50**

VOTE TAKEN:

Motion: Mr. Gordon moved to approve the bills. Mr. George seconded. Motion carried.

Bills: The bills were unanimously approved and signed.

Hearing 1:

20 Bay Road – Jean Skaff & Abigail Skaff
Variance – In-ground pool (side setbacks)

Mr. Rosen read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. George, Ms. Cossette, and Mr. Gordon.

Presentation

- Mr. and Mrs. Skaff were present. Mr. Skaff explained that due to the size and shape of the lot, and in order to have a decent-sized pool, they would like to place it five (5) feet from both sides of the back corner of the lot. Since they are a corner lot, it is considered that they have two (2) side property lines rather than one (1) side and one (1) rear lot line.

Board Questions

- Mr. Gordon commented that he believed they had a hardship in the slope of the land. But he also asked why they did not propose to place the pool closer to the house and to the center of the lot or

and farther away from the back corner. Mr. Skaff replied that this placement would give it sun all day long; another placement - nearer the trees - would provide too much shade. He added that JC Pools, their contractor, also had concerns about digging the pool foundation too close to the bulkhead. On the certified plot plan submitted, the bulkhead did not appear to be drawn to scale and did not have its dimensions listed, but the distance from the edge of pool to the edge of house was marked as 14.8 feet.

- Ms. Cossette thought that there was still enough room within the 14.8 feet distance to shift the pool's placement as Mr. Gordon had suggested. Mr. Skaff added that there is also a concern for the underground drainage in that area of the yard.
- Mr. Confalone checked that they really needed that large-scale a pool. Mr. Skaff answered that if they were going to do it, they wanted to "do it right". However, then he produced an alternate proposed certified plot plan (H1:E1), which would be less detrimental. It showed a slightly smaller pool (by 2.5 feet on the south easterly side) and a placement closer to the house to create a 10.2 foot setback (rather than a 5.1 foot setback) on the southerly side. That side would then be in compliance. Ms. Las confirmed that the Board could choose to accept the alternate plan as long as the newly proposed plan was less detrimental than the original plan that had been used as the basis for the published legal notice advertising the hearing.
- Mr. George asked if the pool's dimensions included the surrounding decking. No.
- Mr. Rosen asked if there were neighbors along their easterly side. No.

Abutters

- A letter was submitted by Alan and Angela Govatsos, who are direct abutters at 16 Bay Road. They expressed strong concerns about the close proximity (of the original plan) to place the pool five (5) feet from their property line and their potential loss of privacy.

Board Discussion

- There was a consensus that the Board members could agree to the alternate plan presented, but not to the original plan.
- Mr. Gordon recommended adding the condition that, along with the usual building code requirement for a fence surrounding the pool, that a 6 foot high fence be placed on the 16 Bay Road side in order to provide those abutters with their requested privacy. Much discussion followed as to how best to define this fence requirement, in terms of exact placement and length, for the decision.
- Ms. Cossette added that she believed they had a drainage hardship.

VOTE TAKEN:

Motion: Mr. Gordon moved to approve the Variance for 20 Bay Road with one (1) condition. Mr. George seconded. Motion carried.

Hearing 1: The Variance for 20 Bay Road was unanimously approved, with the following condition:

- 1) In addition to the required 48 inch fencing requirement per the building code, that a six (6) foot high privacy fence must be installed along the southerly property side facing 16 Bay Road. It must run the length of the twenty-eight (28) foot pool as well as turn the corner on the south easterly side by having an additional six (6) or eight (8) foot segment.

Hearing 2:

19 Bruce Avenue – Jason Hartelius

Special Permit – Second floor addition

Mr. Rosen read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. George, and Mr. Gordon. Ms. Cossette recused herself due to a potential conflict of interest.

Presentation

- Mr. Hartelius and his wife, Alison, were present.
- Mr. Rosen informed them that with a 4-member Board, they would need a unanimous decision. Mr. Hartelius decided to proceed.
- Mr. Hartelius submitted a petition with the signatures of seven (7) of their neighbors on Bruce Avenue, who had signed saying they had been allowed to review the Hartelius's proposed addition plans and that they were not in opposition to them (H2:E1).
- Mr. Hartelius explained that they have lived in this a ranch house for eleven (11) years. Now with three children, they have outgrown the house. However, since they like the Paton school district and would like to stay in the area, they would like to build a second story addition in order to add more living space. They intend to build straight up. They do not intend to affect the footprint for the addition; the only increase would be for a new deck in the back that would be in compliance.

Board Questions

- Ms. Las asked what their plan was for the existing carport. Mr. Hartelius explained that it had been installed by the previous owner on the neighbor's lot line. He said they intended to take it down, and then fix the driveway. Mr. Rosen suggested the Board might want to include that as a condition of the decision. Mr. Hartelius agreed to it.
- Mr. George asked if they had a drainage easement on their property. Both said, Yes. Mr. Gordon clarified that they had a drainage easement both in the front and back of the property. Yes.

Abutters

- As there were no comments from the public, the hearing was closed.

Board Discussion

- Mr. Gordon commented, as he has in the past, that he thinks second story additions should be allowed by right.

VOTE TAKEN:

Motion: Mr. Gordon moved to approve the Special Permit for 19 Bruce Avenue, with one (1) condition. Mr. George seconded. Motion carried.

Hearing 2: The Special Permit for 19 Bruce Avenue was unanimously approved, 4-0, with the following condition:

- 1) That the existing carport that is not in compliance be removed before work on the addition begins.

Hearing 3:

307 Main Street – Madirock, Inc.

Use Variance – Catering business and public relations/publishing business

Mr. Rosen read the legal notice into the record. Other acting Board members included Mr. Confalone, Mr. George, Ms. Cossette, and Mr. Gordon.

Presentation

- Atty. Richard Ricker was present to represent the appellant. He requested a continuance to the next regularly scheduled meeting. The owner has not signed off on the petition yet. The owner and the appellant still need to work out the terms of their own agreement first.

Board Questions

- None.

Board Discussion

- None.

VOTE TAKEN:

Motion: Mr. George moved to approve the request for a continuance for 307 Main Street to the next regularly scheduled meeting. Mr. Gordon seconded. Motion carried.

Hearing 3: The request to continue the hearing for 307 Main Street to April 27, 2015 at 6:30pm was unanimously approved.

New Business:

None.

Old Business:

Master Plan Update

Ms. Las reported that when the Master Plan Steering Committee meets next, they will review the Transportation element as well as the introduction to the overall Master Plan draft. The next meeting is on April 9, 2015 at 8:30AM at the main Fire Station and is open to the public. The drafts from the consultants on Economic Development and Housing will be reviewed. As of now they are still on track to present the Plan first to the Planning Board, and second to the Selectmen in the fall. At that time, a decision will be made as to whether to adopt/recommend the newly drafted plan.

Correspondence:

None.

The meeting adjourned at 7:00 PM.

Respectfully submitted by,

Michele M. Bowers

Reviewed by,

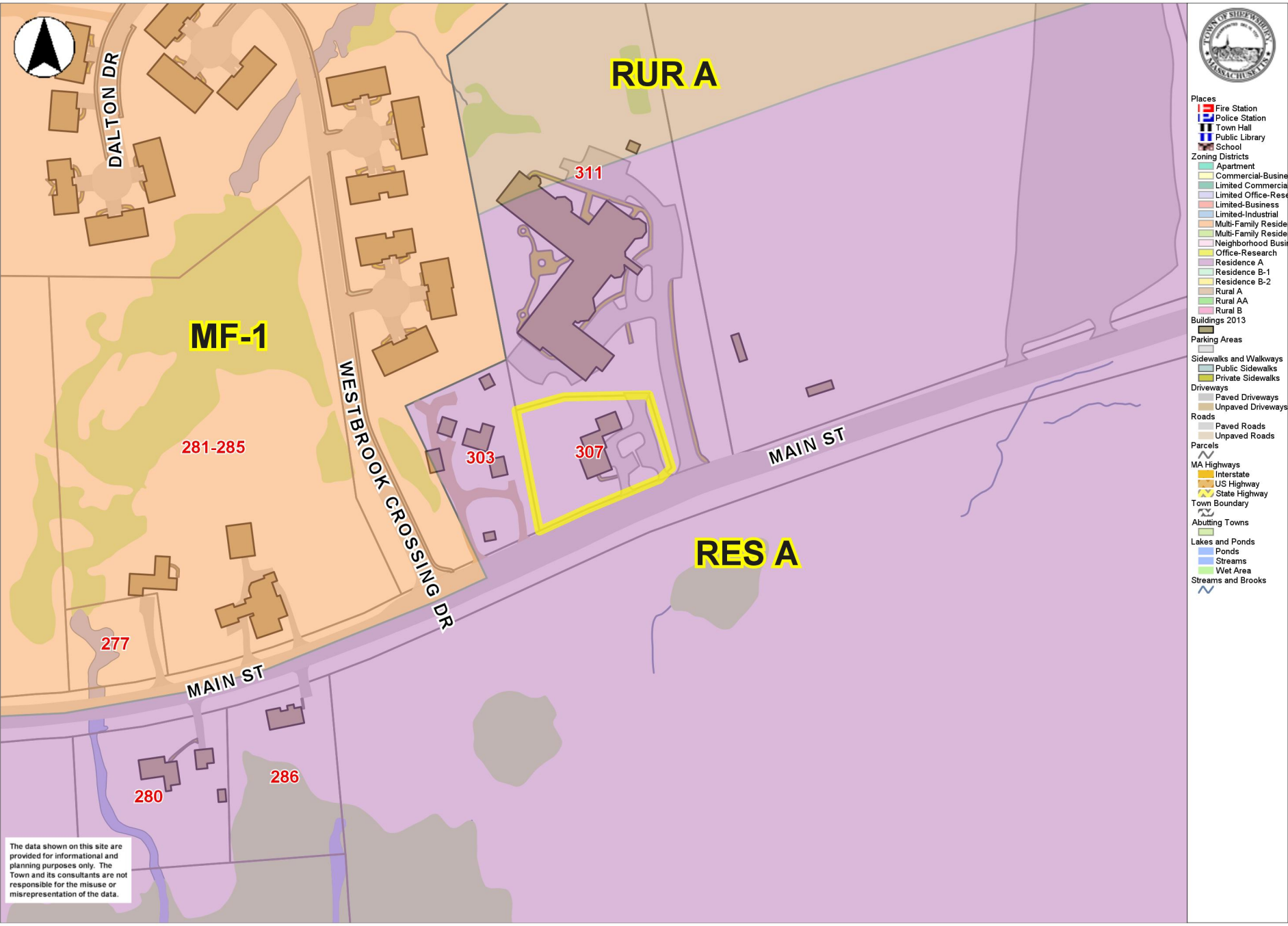
Kristen Las, AICP

Approved by vote of the Board,

Paul M. George, Clerk

Hearing 1

*Continued from
March 30, 2015*



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- TOWN OF SUDBURY MASSACHUSETTS
- Places
 - Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
- Zoning Districts
 - Apartment
 - Commercial-Business
 - Limited Commercial-Bu
 - Limited Office-Researc
 - Limited-Business
 - Limited-Industrial
 - Multi-Family Residential
 - Multi-Family Residential
 - Neighborhood Business
 - Office-Research
 - Residence A
 - Residence B-1
 - Residence B-2
 - Rural A
 - Rural AA
 - Rural B
- Buildings 2013
 - Building
- Parking Areas
 - Sidewalks and Walkways
 - Public Sidewalks
 - Private Sidewalks
- Driveways
 - Paved Driveways
 - Unpaved Driveways
- Roads
 - Paved Roads
 - Unpaved Roads
- Parcels
 - MA Highways
 - Interstate
 - US Highway
 - State Highway
- Town Boundary
 - Abutting Towns
- Lakes and Ponds
 - Ponds
 - Streams
 - Wet Area
- Streams and Brooks
 - Streams and Brooks

0 200 400 ft

Printed on 03/17/2015 at 09:52 AM

307 Main St

ZONING BOARD OF APPEALS
TOWN OF SHREWSBURY
MASSACHUSETTS

FORM OF APPEAL

RECEIVED
TOWN CLERK'S OFFICE
2015 MAR -6 PM 3:50
SHREWSBURY, MASS

Name of Appellant Madirock, Inc.

Address of Appellant 4 Prospect Street, Shrewsbury, MA 01545

Phone 617-957-3868

Fax 617-500-0987

Email Heather@Exposeyourselfpr.com

Owner of Subject Property BAL Shrewsbury House, LLC

Address of Owner 40 Williams St., Ste. 350, Wellesley, MA

Phone _____

Fax _____

Email _____

Location of Subject Property 307 Main Street

Tax Plate 20

Plot 38-1

Zoning District Residence A

Appeal for (Variance, Special Permit, Other) Variance

Applicable Section of Zoning Bylaw Section VI, Table 1

Pertinent Information: Here set forth the reason or reasons for this appeal including all facts essential to the appeal and attach plans of the premises affected. If applying for a Variance, state reasons for hardship: Slope, Soil, Topography, other. If applying for a Special Permit, state how project meets Special Permit criteria. (Attach extra pages if necessary).

Your petitioner seeks to utilize the building on the premises for business purposes which include a Catering Business and Public Relations/Publishing Business.

** Food Prep Only*

The parking requirements for the use will require ten (10) spaces and a plan will be filed within seven (7) days to verify adequacy.

The undersigned respectfully appeals to your Board for a public hearing concerning the above matter

[Signature]
Signature of Appellant

3/6/15
Date

Signature of Property Owner(s)

Date

Letter to Come [Signature]
Signature of Property Owner(s)

Date

Reviewed for content K.D. Las
Signature of Inspector of Buildings

3/6/15
Date

ZONING BOARD OF APPEALS

Form of Appeal Checklist

MADI ROCK Inc. RE: 307 MAIN STREET

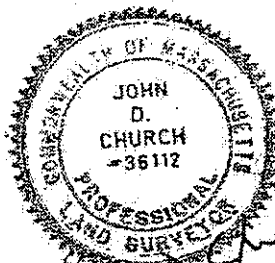
Not Applicable
Waiver Requested
Included

1	Assessor's Tax Map	REQUIRED	<input checked="" type="checkbox"/>	Assessor's Tax Map & Plot Plan required for all applications.
2	Plot Plan	REQUIRED	<input checked="" type="checkbox"/>	
a.	Plan fully complies with the ZBA Rules and Regulations.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b.	An alternate plan is submitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Reasons for submitting an alternate plan:</p> <p><i>The plot Plan Provided does not show parking areas. That plan will be provided within seven (7) days of filing. This is a request for USE VARIANCE.</i></p>				
3	Zoning Analysis Table	<input checked="" type="checkbox"/>	<input type="checkbox"/>	These items may not be required for all projects.
4	Parking Analysis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5	Location of all building entrances or exits, drives, ways, parking lots, and loading areas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6	Elevations and locations on the plan of all existing and proposed signs on the subject property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7	Location of utility lines and connections on the subject property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8	Location of all prominent vegetated areas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9	Location of trash disposal areas for all uses other than single family and two family residences	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10	Drainage calculations, as necessary to demonstrate there will be no adverse impacts to adjacent properties or roadways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

I hereby request a waiver for those items marked as "waiver" and understand that my application will be considered incomplete until the Zoning Board of Appeals approves the waiver or the information is submitted. I further understand that an incomplete application extends the statutory decision deadlines.

[Signature]
Appellant's Signature

3/6/15
Date



MAP 20 LOT 37-2
N/F CLAFLIN

MAP 20 LOT 38-1
33,270 S.F.
0.764 AC.

2.5-STORY
FRAME BUILDING
#307
EXIST.

MAP 20 LOT 38

GARAGE

RAIL FENCE

MAP 20 LOT 38
N/F BENCHMARK
SHREWSBURY SENIOR
HOUSING, LLC

REBAR FOUND

DRIVEWAY EASEMENT #1
BK.18785 PG.209

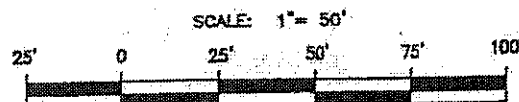
NOTE:

THIS PLAN IS THE RESULT OF MEASUREMENTS
MADE AND MONUMENTS EXISTING ON 11/14/01.

PLAN REFERENCES:

"TAX MAP 20 LOTS 38 & 38-1, LOT LINE ADJUSTMENT PLAN,
307 & 311 MAIN STREET, SHREWSBURY, MASSACHUSETTS,
PREPARED FOR SPL DEVELOPMENT, LLC . . . DATED
SEPT. 3, 2001, PREPARED BY BEDFORD DESIGN CONSULTANTS.

"PLAN OF LAND IN SHREWSBURY, MASSACHUSETTS,
OWNED BY ROBERT H. CLAFLIN", DATED APRIL 11, 1997,
PREPARED BY LAND DESIGN, INC., AND RECORDED IN
PLAN BOOK 714, AS PLAN 713 WORD'S.



SCALE: 1" = 50'

GRAPHIC SCALE

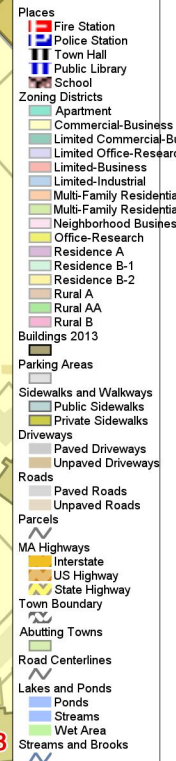
MAIN STREET
1946 WORCESTER COUNTY HIGHWAY LAYOUT

BEDFORD DESIGN CONSULTANTS, INC.
136 HARVEY ROAD, HILLTOP CENTER, UNIT 4
LONDONDERRY, NH 03053
(603) 622-5533
JOB. NO. 564-02
MAP 20, LOT 38-1
AS-BUILT FOUNDATION PLAN
307 MAIN STREET
SHREWSBURY, MASS.
NOVEMBER 16, 2001
SCALE: 1" = 50'

RECEIVED
TOWN ENGINEER'S OFFICE
2015 MAR -6 PM 3:50
SHREWSBURY, MASS

Hearing

2



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ZONING BOARD OF APPEALS
TOWN OF SHREWSBURY
MASSACHUSETTS

RECEIVED
TOWN CLERK'S OFFICE
2015 MAR 30 AM 8:53

FORM OF APPEAL

Name of Appellant Carl Abbascia

Address of Appellant 12-16 Harrington Ave.

Phone (508) 754-9322 Fax _____

Email heritagemodularhomes@gmail.com

Owner of Subject Property Carl Abbascia

Address of Owner 33 Beverly Hill Drive

Phone (774) 696-7611 Fax _____

Email _____

Location of Subject Property 12-16 Harrington Ave

Tax Plate 32 Plot 112

Zoning District Commercial Business

Appeal for (Variance, Special Permit, Other) Special Permit

Applicable Section of Zoning Bylaw Section VI Table I

Pertinent Information: Here set forth the reason or reasons for this appeal including all facts essential to the appeal and attach plans of the premises affected. If applying for a Variance, state reasons for hardship: Slope, Soil, Topography, other. If applying for a Special Permit, state how project meets Special Permit criteria. (Attach extra pages if necessary).

see attached

The undersigned respectfully appeals to your Board for a public hearing concerning the above matter

Carl Abbascia

3-27-15

Signature of Appellant

Date

Carl Abbascia

3-27-15

Signature of Property Owner(s)

Date

Cheryl Abbascia

Signature of Property Owner(s)

Date

Reviewed for content P. Sheehan 3-27-15

Signature of Inspector of Buildings

Date

Lakeway Hot Dogs

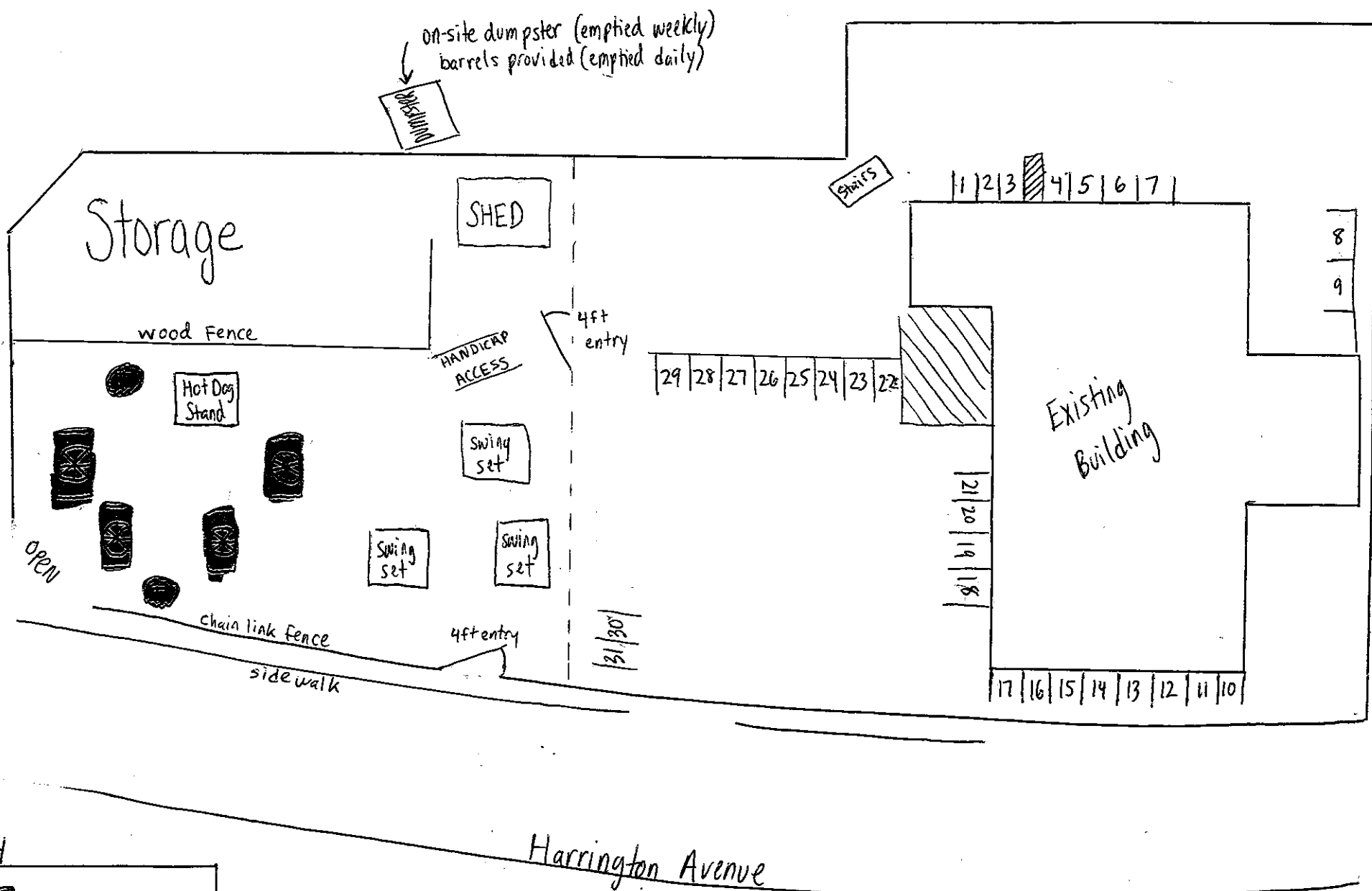
Address: 12-16 Harrington Ave
Shrewsbury MA, 01545

Owner: Carl Abbascia

Part Time Workers: Four

Hours of Operation: March 15th - November 30th (weather permitting)
10am-7pm

Menu: Hot Dogs w/ condiments
Potato Chips
Soda
Cookies
Fruit



key

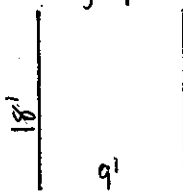


= picnic tables

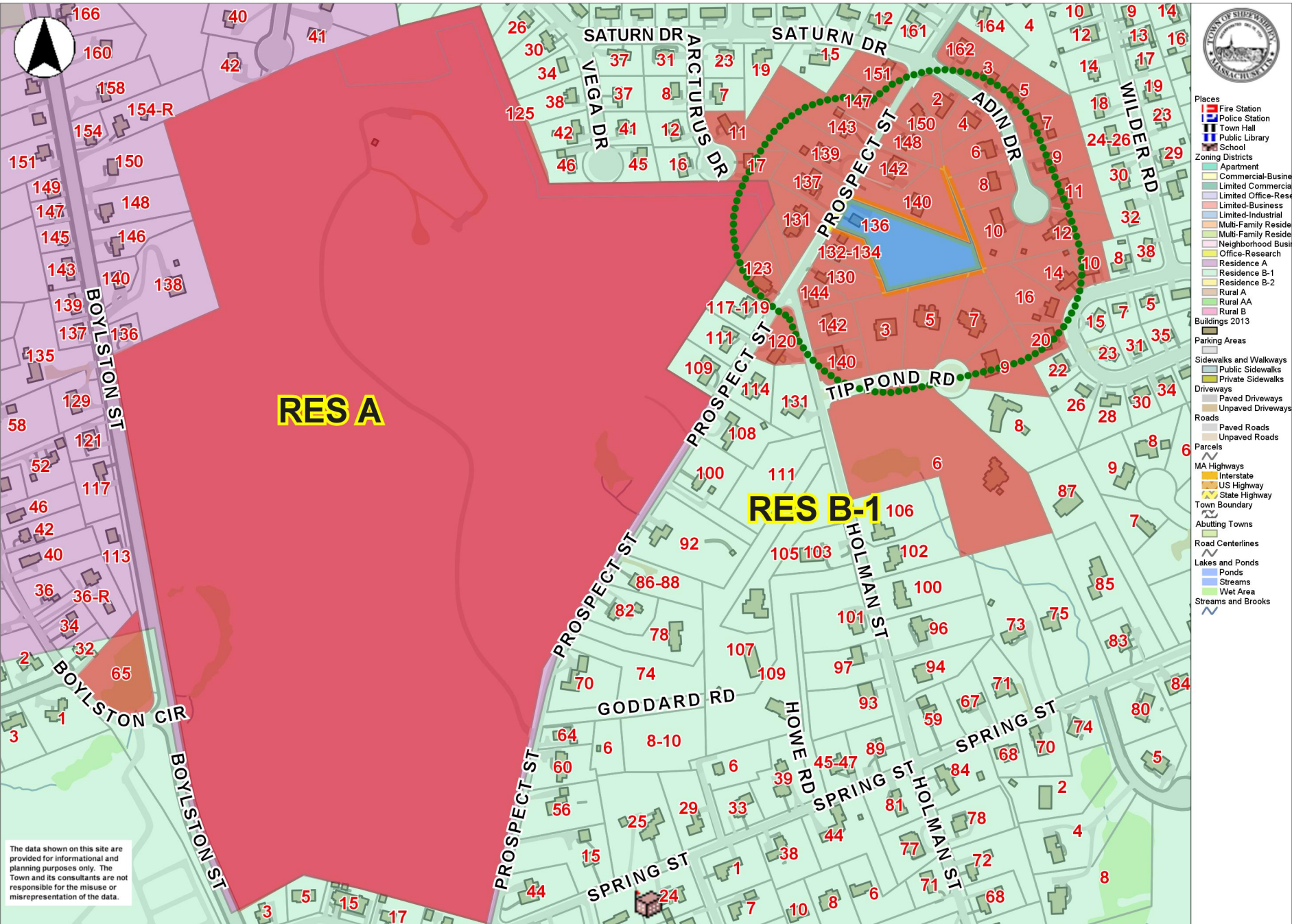


= trash barrels

Parking Spots



Hearing 3



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ZONING BOARD OF APPEALS
TOWN OF SHREWSBURY
MASSACHUSETTS

RECEIVED
TOWN CLERK'S OFFICE

2015 MAR 30 PM 2: 22

FORM OF APPEAL

Name of Appellant Khaja Shamsuddin, Birch Brush Realty Trust

Address of Appellant 23 Peterson Road, Natick, MA 01760

Phone (508) 326-0813

Fax (508) 595-9192

Email shamy74@gmail.com

Owner of Subject Property Mohammed Raziuddin

Address of Owner 140 Prospect Street, Shrewsbury, MA 01545

Phone (508) 523-2441

Fax _____

Email mrrazi@yahoo.com

Location of Subject Property 136 Prospect Street

Tax Plate 17

Plot 12 and 13

Zoning District Residence B-1

Appeal for (Variance, Special Permit, Other) Variance for rear lot area

Applicable Section of Zoning Bylaw Section VII.B.7.A.1

Pertinent Information: Here set forth the reason or reasons for this appeal including all facts essential to the appeal and attach plans of the premises affected. If applying for a Variance, state reasons for hardship: Slope, Soil, Topography, other. If applying for a Special Permit, state how project meets Special Permit criteria. (Attach extra pages if necessary).

Please see attached letter.

The undersigned respectfully appeals to your Board for a public hearing concerning the above matter

[Signature]
Signature of Appellant

3/30/15
Date

[Signature]
Signature of Property Owner(s)

3/20/15
Date

[Signature]
Signature of Property Owner(s)

2/24/15
Date

[Signature]
Signature of Inspector of Buildings

3-30-15
Date



H. S. & T. GROUP, INC.

RENEY, MORAN & TIVNAN
BOULEY BROTHERS ENGINEERING

RECEIVED
TOWN CLERK'S OFFICE

2015 MAR 30 PM 3: 00

SHREWSBURY, MASS

April 3, 2015

Town of Shrewsbury Zoning Board of Appeals
Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, MA 01545

**RE: Variance Request for Reduction in Rear Lot Area
Common Driveway Off of Prospect Street**

Dear Members of the Zoning Board of Appeals:

Please accept this letter as an explanation for the Variance request.

Site History

At present this project site consists of three parcels of land. Two detached one-family dwellings are located on two of the parcels. The street addresses for these dwellings are 136 Prospect Street and 140 Prospect Street respectively. Both of these homes have driveways directly off of Prospect Street. This site is located in the Residence B-1 zoning district. The required frontage for residential lots in the Residence B-1 zoning district is 100 feet. The required lot area is 12,500 sf.

On November 6, 2014 the Shrewsbury Planning Board voted to conditionally approve the Daania Circle Definitive Subdivision for this site. This subdivision would consist of a conventional cul-de-sac development with associated grading, a stormwater management system and utilities. Three buildable single-family house lots were approved with each of the lots having access off of a new roadway to be called Daania Circle located off of Prospect Street. The proposed roadway will be 22 feet wide with an 80 foot wide cul-de-sac. As part of this development, the home at 136 Prospect Street would be razed and replaced with a new single-family home. The home at 140 Prospect Street would remain as is. A new single-family home would be constructed on the third lot.

The construction of the subdivision roadway, stormwater detention basin, development of the two new house lots and the septic system construction for one of the new homes will have a significant impact on the site's grade elevations and tree coverage. As such, it was recommended during the review process with the Planning Board that accessing the site via a common driveway be explored. It was felt that this alternative might have less of an impact to the site. It is also our understanding that the abutters for this site would be more amenable to a common driveway development than to a traditional cul-de-sac roadway development since there would be less of an impact to the site by the common driveway design.

Common Driveway Special Permit Site Plan

This proposal proposes three subdivision approval not required "rear" lots with a detached single-family dwelling on each lot. Two of these lots will be accessed from a common driveway off of Prospect Street. The home at 140 Prospect Street will retain its own driveway off of Prospect Street. As part of this project, the dwelling at 136 Prospect Street will also be razed and a new single-family dwelling will be constructed in its place. A new home will also be constructed on the third lot.

As stated previously, the required lot area for lots in the Residence B-1 zoning district is 12,500 sf. The Shrewsbury Zoning Bylaws require that the lot area for rear lots accessed off a common driveway to be three times the lot area for the zoning district. (Shrewsbury Zoning Bylaw Section VII.B.7.A.1) Thus, the required area for each rear lot is 37,500 sf. Two of the proposed rear lots will meet this requirement. A Variance is being requested for the rear lot area for just one of the new lots to be less than the required three times the minimum lot area for the zoning district.

Conditions Required for Granting a Variance

Item 5 of the Shrewsbury Zoning Board of Appeals Information for Petitioners states that four conditions must be met in order for a Variance to be granted:

1. A hardship exists upon the land that requires one to apply for a Variance.
2. The condition affecting the property is incidental to that property and does not generally affect other parcels within the zoning district.
3. A Variance may be granted without substantial detriment to the public good.
4. A Variance cannot substantially derogate from the intent and purpose of the Zoning Bylaw.

In response:

1. This project is in the Residence B-1 zoning district which requires 12,500 sf of area and 100 feet of frontage for lots in this zoning district. Common driveway rear lots require 37,500 sf of lot area and 50 feet of frontage. Thus, for the three rear lots the total required amount of lot area is 112,500 sf and the total amount of frontage is 150 feet. The land area for all three parcels totals approximately 101,091 sf. The three parcels have a total frontage of approximately 175 feet off of Prospect Street. Thus, due to the overall lot area for the three parcels, the hardship exists as there is not enough land area to meet the total required lot area for all three rear lots for a common driveway development. Two of the proposed rear lots will have adequate lot area. However, there is adequate frontage for all three rear lots.
2. The rear lot area for the third lot in the proposed development does not affect the other parcels within the zoning district.
3. If the approved Daania Circle Subdivision is constructed as approved, there will be a significantly greater area of disturbance and construction on the site. For example:
 - Additional fill will be brought onsite which will alter the overall elevation of the site. This fill will be necessary in order to provide

the required separation per Title 5 regulations between groundwater and a septic system for one of the subdivision lots. A septic system is required for one of the lots since the Town has a moratorium for new sewer connections for new subdivision lots. (The other two lots in the subdivision will use the existing sewer connections to the site.) However, with the common driveway design for the site, the septic system and associated fill will not be necessary as the two new homes may be directly connected to the sewer main in Prospect Street since these lots will have frontage directly off of Prospect Street.

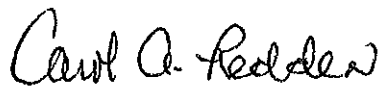
- Due to the additional construction area required for the septic system and stormwater detention basin, there will no longer be a buffer of trees between the developed area of the site and the abutters to the east and south. Thus, the subdivision construction will be more detrimental to the abutters due to the loss of their landscaping buffer since trees are not permitted over a septic leaching field per Title 5 regulations. Nor may trees be planted within a stormwater detention basin.
- The common driveway option will have a 23% reduced construction and development area for the site compared to the approved subdivision design. This reduction in site work will allow a greater area in which to provide a wider landscaping buffer between the developed portions of the site and the neighbor's properties. Thus, it stands to reason that the common driveway option will have less of an environmental impact to the site.
- The common driveway option will have a 33% reduction of impervious area compared to the approved subdivision design. Again, it stands to reason that this will reduce the environmental impacts to the site. A greater amount of pervious area will allow for more rainwater to seep directly into the ground which in turn will improve the groundwater aquifer below the site.

Thus, allowing the Variance will allow for an improved design for the development of the land. As such, a Variance may be granted without substantial detriment to the public good.

4. This Variance request does not substantially derogate from the overall intent and purpose of the Zoning Bylaw. Construction of a single-family home is allowed in this zoning district. As mentioned above, a subdivision has already been approved for this site with the same number of lots and dwellings as is proposed with the common driveway design. Granting this Variance will not alter the character of the neighborhood.

We hope we have addressed this Variance request in a satisfactory matter. Should you have any comments or questions please do not hesitate to contact me by phone at (508) 757-4944 or by email at credden@hstgroup.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol A. Redden". The signature is fluid and cursive, with the first name "Carol" and last name "Redden" clearly distinguishable.

Carol A. Redden, PE, LEED AP
Vice President of Engineering
H. S. & T. Group, Inc.

L:\Smith Engineering\DWG\TOWNS\SHREWSBURY\PROSPECT STREET\Correspondence\Common Driveway Variance Request.docx

HYDROLOGY & STORMWATER MANAGEMENT REPORT

SPECIAL PERMIT SITE PLAN FOR A COMMON DRIVEWAY OFF OF PROSPECT STREET SHREWSBURY, MA

April 3, 2015

PREPARED FOR:

**BIRCH BRUSH REALTY
23 PETERSON ROAD
NATICK, MA 01760**



PREPARED BY:

H. S. & T. Group, Inc.

**75 Hammond Street
Worcester, MA 01610**

Existing Site Conditions

This project consists of three parcels of land on the east side of Prospect Street in the town of Shrewsbury, Massachusetts. The three lots have a combined lot area of approximately 101,091 SF (2.32 acres) and are located in the Residence B-1 district. The site is presently residentially developed with two single-family homes, driveways and lawns on two of the parcels. The street addresses for these dwellings are 136 and 140 Prospect Street. A portion of the project area to the south and east beyond the lawn areas consists of wooded land. A USGS Locus Map highlighting the location of these parcels is included in the attached appendices to this report.

The land for the site generally slopes downward to the south and east away from Prospect Street. No bordering vegetated wetlands or wetland resource areas are located on the three parcels or within 100 feet of the site. The property is not located within the limits of the 100-year floodplain as indicated on the Federal Emergency Management Agency Flood Insurance Rate Map. A copy of the FIRM map panel for these parcels may be found in the attached appendices to this report.

The soil types and characteristics in the area of the site have been identified by referencing the USDA NRCS Soil Survey of Worcester County, Massachusetts, Southern Part. These soils consist of Paxton and Woodbridge fine sandy loam soils which are classified as Hydrologic Soil Group (HSG) C by the NRCS. These soils are characterized as having a slow infiltration rate when thoroughly wet. A copy of the USDA NRCS Soil Survey map and soil data information is included in the attached appendices to this report.

Proposed Site Conditions

This project proposes three subdivision approval not required "rear" lots with a detached one-family dwelling on each lot. Two of these lots will be accessed from a common driveway off of Prospect Street. The home at 140 Prospect Street will remain as is and it will retain its own driveway off of Prospect Street. The dwelling at 136 Prospect Street will be razed and a new single-family home will be constructed in its place. A new single-family home is also proposed for the third lot.

The two new homes will be connected to the public utilities (water, sewer and telecommunications) in Prospect Street. The home at 140 Prospect Street is already serviced by the public utilities in Prospect Street. Clearing of the land will be limited to the developed area as much as possible. Several trees will be planted on each lot in conformance with the Shrewsbury Planning Board Subdivision Regulations. All disturbed areas will be properly graded and loamed and seeded at the conclusion of construction.

A stormwater management system has been designed for the proposed development of this site. The stormwater management system has been designed to mitigate stormwater runoff such that the increase in post-development net runoff rates does not exceed existing conditions runoff rates for specific design year storms. The measures utilized to mitigate the impact of the development on the site include the collection of roof runoff from the proposed homes, a catch basin for the stormwater runoff from the proposed common driveway, a closed-pipe collection system for this runoff and a subsurface detention and infiltration basin.

Hydrologic Analysis

A hydrologic analysis has been conducted for this site using SCS TR-20 methodology. Using this methodology, the 2-, 10-, 25- and 100-year storm events have been evaluated using a 24-hour, Type III rainfall distribution as shown in National Weather Service (NWS) TP-40. A table listing NWS TP-40 rainfall data for the counties of Massachusetts is included in the attached appendices to this report. The rainfall values for each of the return periods for Worcester County are listed in Table 1 below:

Return Period	Rainfall (inches)
2-Year	3.0
10-Year	4.5
25-Year	5.3
100-Year	6.5

Table 1: 24-Hour Rainfall Values – Worcester County

Pre-development and post-development net peak stormwater discharge rates for each return period year were estimated based upon this rainfall data. This analysis was used to design the stormwater management measures to mitigate the impacts of construction for the site.

HydroCAD software, Version 10.00-14 was used to conduct the hydrologic analyses for the site. The HydroCAD data generated in the analysis for each return period for pre- and post-development has been enclosed in the attached appendices to this report.

For those unfamiliar with HydroCAD, the software program uses “nodes” to represent existing and proposed features. The following is a brief description of each type of node used in HydroCAD:

Subcatchment

A subcatchment is a relatively homogenous area of land that drains into a reach or pond. Subcatchments are described by a number of parameters such as land area, lot coverage runoff curve numbers and the time of concentration. HydroCAD models the effect of rainfall on a specific section of the watershed based upon the subcatchment information and produces a runoff hydrograph. A subcatchment may also be used to model the water falling directly on the surface of a pond.

Reach

A reach models the effect of a hydrograph being routed through a uniform stream, channel or pipe under open-channel flow conditions. This results in attenuation and delay of the peak flow due to the storage and travel time of the reach.

Pond

A pond is an impoundment that fills with water from one or more sources (such as a subcatchment or reach) which empties in a manner determined by an outlet device. Such outlet devices may be weirs, culverts or specially constructed restrictive structures. A pond models the storage effects of any retention or

detention area such as a reservoir, detention pond or storage chamber. A pond may also incorporate a variety of outlet control devices with the ability to account for headwater and tailwater effects.

Link

A link is used to enter a hydrograph generated outside the HydroCAD program or to interconnect several routing diagrams from within HydroCAD. A link may also be used to scale a hydrograph, to split it into two components for independent routing or to define a fixed or tidal tailwater elevation.

Existing Conditions

Under existing conditions the site and nearby land generally drain toward the east and south. As such, the analysis area has been divided into two subcatchments with two analysis points as detailed below:

Subcatchment E1 is approximately 32,811 SF (0.75 acres). Subcatchment E1 includes the northern portion of the project site and an offsite area to the east of the site. This subcatchment contains the majority of the residence at 140 Prospect Street, the driveway for 140 Prospect Street, lawn area and woods. Subcatchment E1 drains to the east. Analysis point DP-E1 has been located at the eastern property line of the site to assess runoff from Subcatchment E1.

Subcatchment E2 is approximately 107,435 SF (2.47 acres). Subcatchment E2 includes the majority of the site area and offsite areas to the east and west. This subcatchment contains the remainder of the residence at 140 Prospect Street, the residences at 136 Prospect Street and 132-134 Prospect Street, the driveway for 136 Prospect Street, a portion of the home located at 10 Adin Drive, the pool area for 10 Adin Drive, lawn area and woods. This area drains towards the south. Analysis point DP-E2 has been located at the southern property line of the site to assess runoff from subcatchment E2.

The boundaries of the existing subcatchment areas are shown on the Existing Watershed Plan which is included in the attached appendices to this report.

DP-E1 and DP-E2 were added together to determine the net existing conditions stormwater runoff rates for each design year storm.

Proposed Conditions

Under proposed conditions, the proposed total analysis area comprises the same land area as the existing conditions total analysis area. The proposed analysis area for the site has been divided into six subcatchments (H1, H2, P1, P2, P3 and P4) with three analysis points (DP-P1, DP-P2 and DP-P3) which were added together to determine the net stormwater runoff rates for each design year storm. The proposed subcatchments are described below:

Subcatchment H1 is approximately 3,225 SF (0.07 acres) and consists of the roof runoff from the proposed house for Lot 2. The roof runoff enters the subsurface detention system and eventually drains toward DP-P2. Analysis point DP-P2 has

been located at the southern property line of the site to address runoff flowing towards the southern edge of the site.

Subcatchment H2 is approximately 2,153 SF (0.05 acres) consists of the roof runoff from the proposed house for Lot 3. This roof runoff also enters the subsurface detention system and eventually drains towards DP-P2.

Subcatchment P1 is approximately 32,811 SF (0.75 acres). Similarly to Subcatchment E1, Subcatchment P1 includes the northern portion of the project site and an offsite area to the east of the site. This subcatchment contains the majority of the residence at 140 Prospect Street, the driveway for 140 Prospect Street, lawn area and woods. Subcatchment P1 drains overland to the east. Analysis point DP-P1 has been located at the eastern property line of the site to assess runoff from Subcatchment P1.

Subcatchment P2 is approximately 81,804 SF (1.88) acres and again similar to Subcatchment E2, contains the remainder of the residence at 140 Prospect Street, a portion of the home located at 10 Adin Drive, the pool area for 10 Adin Drive, lawn area and woods. This area drains overland towards the south and eventually drains towards DP-P2.

Subcatchment P3 is approximately 1,574 SF (0.04 acres) and includes a portion of the proposed common driveway and lawn area. This area drains overland towards the west. Analysis point DP-P3 has been located at the western property line of the site to assess runoff from subcatchment P3.

Subcatchment P4 is approximately 18,684 SF (0.43 acres) and includes the majority of the proposed common driveway and lawn area. This runoff enters a catch basin which outlets to the subsurface detention and infiltration system. This area eventually drains towards DP-P2.

The boundaries of the proposed subcatchment areas are shown on the Proposed Watershed Plan which is included in the attached appendices to this report.

DP-P1, DP-P2 and DP-P3 were added together to determine the net proposed conditions stormwater runoff rates for each design year storm.

Results of the Hydrology Analysis

The stormwater management system has been designed to mitigate stormwater runoff such that the increase in post-development net runoff rates does not exceed existing conditions net runoff rates for the specific design year storms of 2-, 10-, 25- and 100-years. To verify this, the net existing stormwater runoff rates were compared to the net proposed stormwater runoff rates for each design year storm. The results of the Hydrology Analysis for the pre-development and post-development conditions are included in the attached appendices to this report. A summary of these results are as follows:

HydroCAD Analysis Results				
Analysis Point	Storm Event Discharge Rates (cfs)			
	2-Year	10-Year	25-Year	100-Year
Net Existing	3.00	5.95	7.92	11.00
Net Proposed	2.40	5.35	7.07	10.39

Table 2 - Pre-development and Post-development Runoff Rates

Drawdown Time

It is common practice when designing a detention basin to have the proposed basin drain within 72 hours. The formula for calculating the basin drawdown time is:

$$\text{Time}_{\text{drawdown}} = Rv/(K)(\text{Bottom Area of Basin})$$

Where:

Rv = The provided infiltration basin volume below the lowest outlet of the detention basin. The outlet elevation for the Cultec chambers is 642.60. For the 100-year storm, this volume is 2,575 ft³. The 100-year storm was used for analysis in this calculation as it is the most restrictive.

K = Saturated Hydraulic Conductivity which is calculated by using either the Rawls Rate or the Dynamic Field Method (50% of the in-situ saturated hydraulic conductivity rate). This soil for the site consists of Paxton and Woodbridge fine sandy loam soils which are classified as HSG C by the NRCS, Thus, the K value used in this calculation was 0.27 in/hr.

The Bottom Area of the Basin (the bottom of the proposed Cultec system) = 1,601 ft²

Based upon the above information the calculated value for the drawdown time is:

$$\begin{aligned}\text{Time}_{\text{drawdown}} &= (2,575 \text{ ft}^3) \times (12 \text{ in/ft}) / (0.27 \text{ in/hr}) \times (1,601 \text{ ft}^2) \\ &= 71 \text{ hours}\end{aligned}$$

Thus, the proposed detention basin as designed meets this design standard since 71 hours is less than 72 hours.

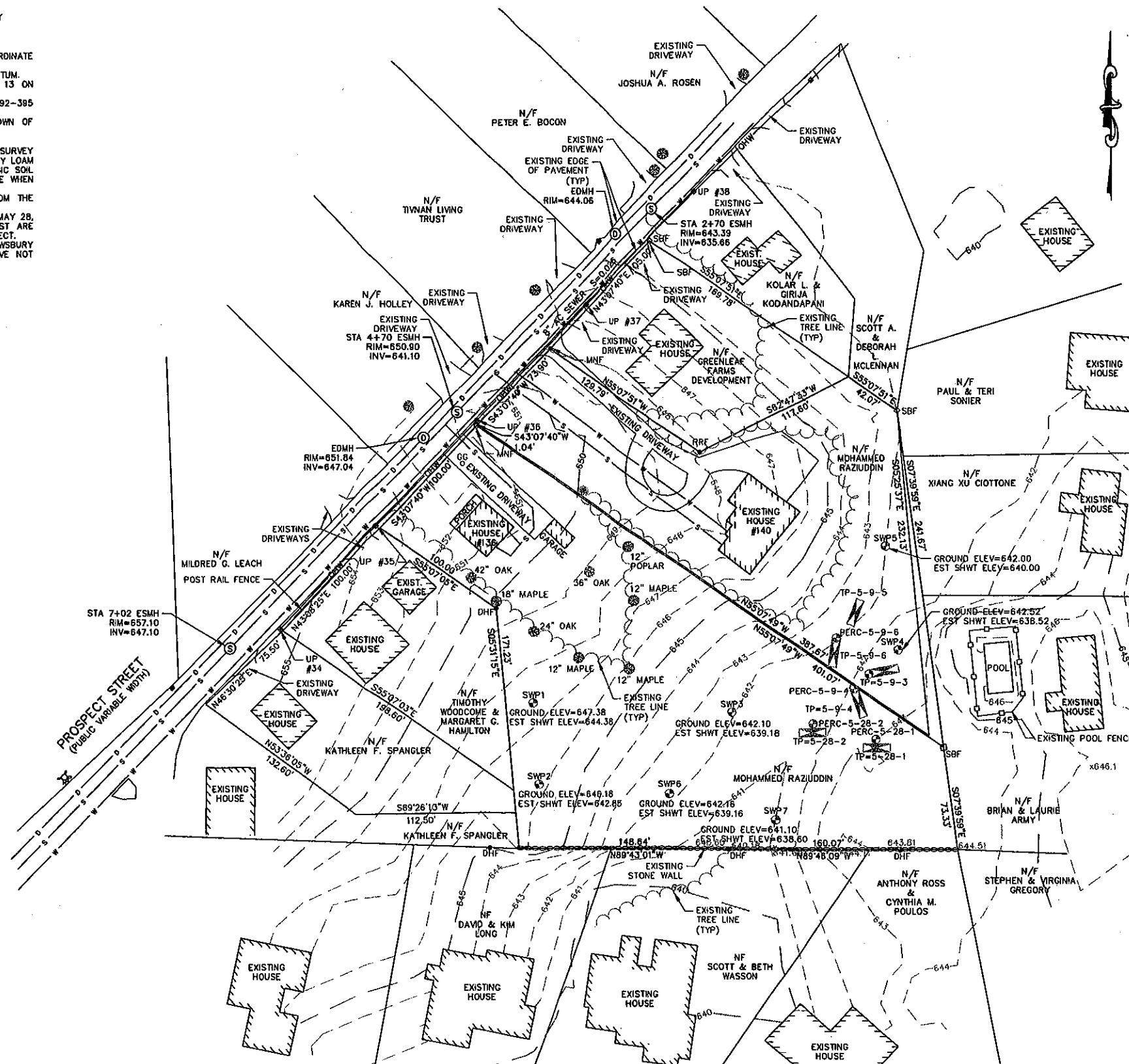
Operation and Maintenance Plan

A long-term Operation and Maintenance Plan (O&M Plan) has been developed for this site and is included in the attached appendices to this report. The O&M Plan shall be implemented to ensure that the proposed stormwater management system functions as designed.

1. THIS EXISTING CONDITIONS PLAN WAS PREPARED BY H. S. & T. GROUP, INC. (HS&T) OF WORCESTER, MASSACHUSETTS. AN ON THE GROUND BOUNDARY AND TOPOGRAPHIC SURVEY WAS PERFORMED BY HS&T ON DECEMBER 5, 2012, NOVEMBER 8, 2013 AND JUNE 10, 2014 FOR THIS PARCEL. ADDITIONAL SUPPLEMENTAL INFORMATION WAS TAKEN FROM THE FOLLOWING PARCELS:

1. "PLAN OF PROPERTY SURVEYED FOR GREENLEAF FARMS DEVELOPMENT CORP. PROSPECT STREET, SHREWSBURY, MASSACHUSETTS" DATED MARCH 18, 2010 PREPARED BY JARVIS LAND SURVEY, INC. OF SHREWSBURY, MA. THIS PLAN MAY BE FOUND IN PLAN BOOK 881, PAGE 43 IN THE WORCESTER REGISTRY OF DEEDS.
2. "PLAN OF LAND IN SHREWSBURY, MASS." DATED JULY 27, 2004 PREPARED BY ATLAS LAND SURVEYING OF NORTHBOROUGH, MA. THIS PLAN MAY BE FOUND IN PLAN BOOK 813, PAGE 84 IN THE WORCESTER REGISTRY OF DEEDS.
3. "LOT 2 RESIDENTIAL PROPOSED ON-SITE SEPTIC SYSTEM" DATED JUNE 10, 2014 PREPARED BY CLEAR WATER ENVIRONMENTAL, LLC (CWE) OF KITTERY POINT, ME.
4. "DAANIA CIRCLE DEFINITIVE SUBDIVISION" DATED AUGUST 2013 REVISED THROUGH SEPTEMBER 16, 2014 PREPARED BY H&AT.
5. THE SURVEY COORDINATES FOR THIS PLAN ARE BASED ON AN ASSUMED COORDINATE SYSTEM.
6. ELEVATIONS SHOWN HEREON ARE REFERENCED TO TOWN OF SHREWSBURY SEWER DATUM.
7. SHREWSBURY ASSESSORS MAPS SHOWS THIS PROPERTY AS PLOTS 11, 12 AND 13 ON PLATE 17.
8. THE DEED FOR THESE PARCELS CAN BE FOUND IN DEED BOOK 49832, PAGES 392-395 AND DEED BOOK 45707, PAGE 110 IN THE WORCESTER REGISTRY OF DEEDS.
9. THIS PROPERTY IS PART OF THE RESIDENCE B-1 ZONING DISTRICT IN THE TOWN OF SHREWSBURY, MASSACHUSETTS.
10. NO WETLANDS WERE FOUND ONSITE AT THE TIME OF THE SURVEY BY H&AT.
11. THE USDA NATURAL RESOURCES CONSERVATION SERVICE (NRCS) WEB SOIL SURVEY DESIGNATES THE SOILS FOR THIS PARCEL AS PAXTON AND WOODBRIDGE FINE SANDY LOAM SOILS. THESE SOILS ARE RATED AS HYDROLOGIC SOIL GROUP C SOILS. HYDROLOGIC SOIL GROUP C SOILS ARE DESCRIBED BY NRCS AS HAVING A SLOW INFILTRATION RATE WHEN THOROUGHLY WET.
12. THE LOCATION OF THE SEPTIC TANK AND LEACHING FIELD WERE PROVIDED FROM THE SEPTIC DESIGN PLAN BY CWE DATED AUGUST 18, 2011.
13. TEST PITS AND PERCOLATION TESTS WERE PERFORMED BY CWE ON MAY 9, 2013; MAY 28, 2013; MARCH 12, 2013 AND NOVEMBER 14, 2013. THE RESULTS OF THESE TEST ARE LISTED IN THE HYDROLOGY AND STORMWATER MANAGEMENT REPORT FOR THIS PROJECT.
14. THE LOCATIONS OF EXISTING HOUSES OFFSITE WERE TAKEN FROM TOWN OF SHREWSBURY ONLINE DIGITAL MAPS. THE LOCATIONS ARE APPROXIMATE IN LOCATION AND HAVE NOT BEEN FIELD SURVEYED.

	PROPERTY LINE
	1' CONTOUR
	5' CONTOUR
	DRAIN LINE
	CATCH BASIN
	DRAIN MANHOLE
	WATER LINE
	HYDRANT
	SEWER LINE
	SEWER MANHOLE
	OVERHEAD WIRES
	UTILITY POLE
	GAS GATE
	TREE LINE
36" OAK	TREE WITH SIZE AND TYPE
	STONE BOUND (FOUND)
	SURVEY MONUMENT (FOUND)
	DRILL HOLE (FOUND)
	TEST PIT/PERC TEST
	EST SHWT ELEV
	ESTIMATED SEASONAL HIGH WATER TABLE ELEV



THIS PLAN IS FOR PERMITTING PURPOSES ONLY
AND SHALL NOT BE USED FOR CONSTRUCTION.

THIS IS TO CERTIFY THAT NOTICE FROM THE ZONING BOARD OF
APPEALS APPROVAL WAS RECEIVED AND RECORDED BY ME ON

AND THAT NO NOTICE OF APPEAL OF SUCH APPROVAL WAS RECEIVED BY ME DURING THE TWENTY (20) DAYS AFTER RECEIPT AND RECORDING OF SUCH NOTICE OF APPROVAL.

TOWN CLERK DATE

PLAN REVISIONS:

[illegible]

NO.	DATE	DESCRIPTION	BY
-----	------	-------------	----

TOWN OF SHREWSBURY ZONING BOARD OF APPEALS APPROVED

BEING A MAJORITY OF THE SHREWSBURY ZONING BOARD OF APPEALS

ENDORSED APPROVED DATE: _____



H. S. & T. GROUP, INC.
 PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
 75 HAMMOND STREET -- 2ND FLOOR
 WORCESTER, MASSACHUSETTS 01610-1723
 PHONE: (508) 757-4944 FAX: (508) 752-8895
 EMAIL: INFO@HSTGROUP.NET WWW.HSTGROUP.NET

EXISTING CONDITIONS PLAN

COMMON DRIVEWAY OFF PROSPECT STREET,
SHREWSBURY, MA 01545

APPLICANT:
BIRCH BRUSH REALTY TRUST
23 PETERSON ROAD, NATICK, MA 01760

OWNER:
MOHAMMED RAZIUDDIN
140 PROSPECT STREET, SHREWSBURY, MA 01545

DATE: 4/3/2015	COMP'D: CAR	FIELD: PS
SCALE: 1"=40'	CAD: CAR	F.L.D. BK: 631-124,130,132,140
ZONE: RESIDENCE B-1	REV'D: DJT/HH	DWG: PROSPECT-SHARED-DRIVE

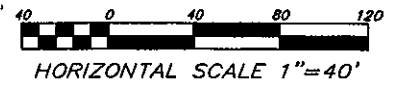
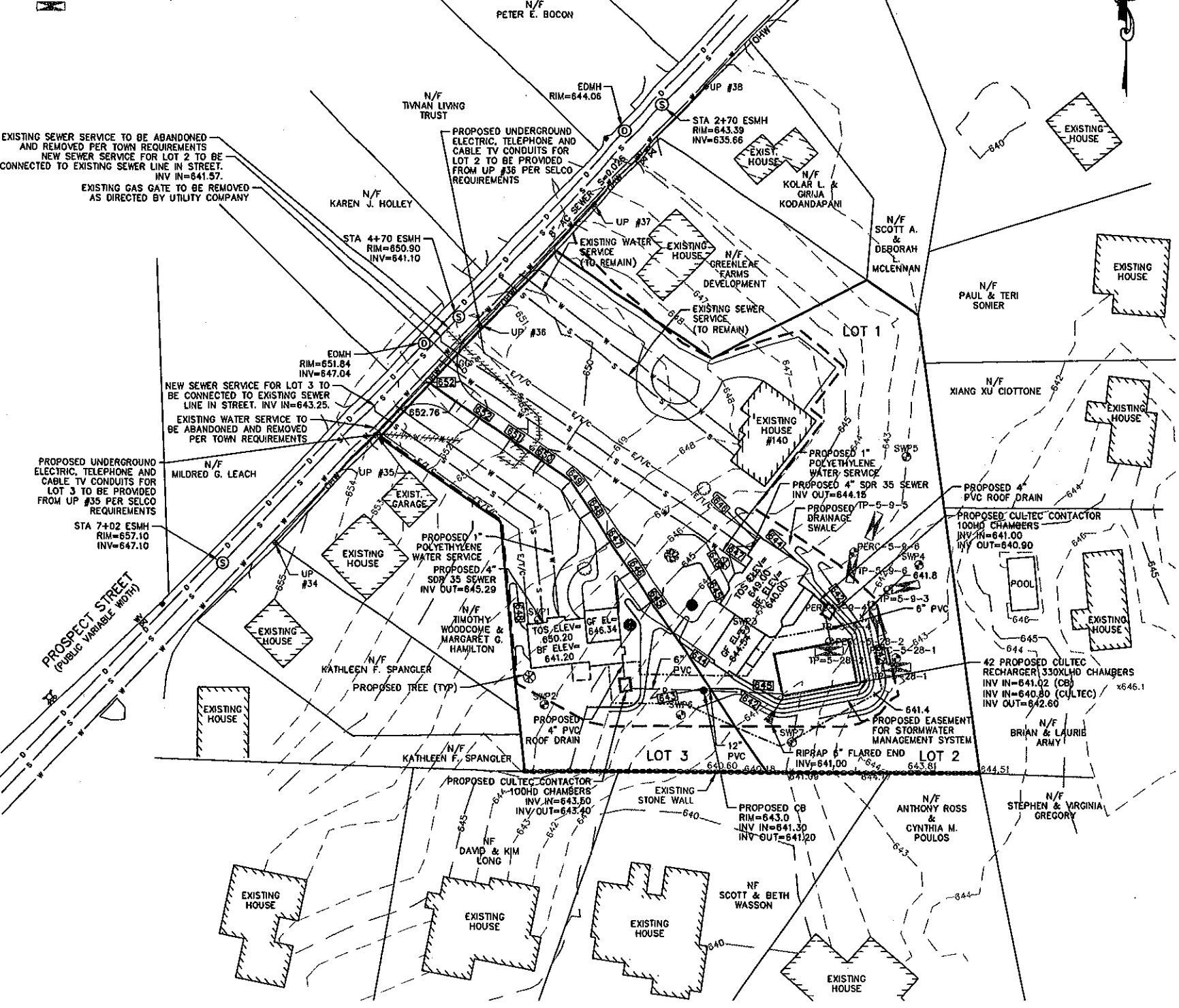
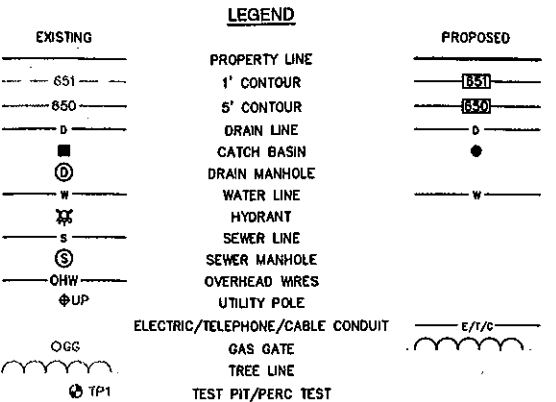
JOB NUMBER:	5595	SHEET NUMBER	1 OF 3
DWG NUMBER:	4867		

GRADING AND DRAINAGE NOTES:

- ELEVATIONS SHOWN HEREON ARE REFERENCED TO TOWN OF SHREWSBURY VERTICAL DATUM.
- ALL UTILITY GRATES, COVERS OR OTHER SURFACE ELEMENTS INTENDED TO BE EXPOSED AT GRADE SHALL BE FLUSH WITH THE ADJACENT FINISHED GRADE ELEVATIONS AND ADJUSTED TO PROVIDE A SMOOTH TRANSITION AT ALL EDGES.
- THE CONTRACTOR SHALL SET SUBGRADE ELEVATIONS TO ALLOW FOR POSITIVE DRAINAGE AND PROVIDE EROSION CONTROL DEVICES, STRUCTURES, MATERIALS AND CONSTRUCTION METHODS TO DIRECT SILT MIGRATION AWAY FROM DRAINAGE AND OTHER UTILITY SYSTEMS, PUBLIC STREETS AND WORK AREAS.
- ALL PROPOSED PAVEMENT AREAS SHALL BE PITCHED AS SHOWN ON THE DRAWINGS. IF NOT OTHERWISE SHOWN, PROPOSED PAVEMENT AREAS SHALL BE PITCHED A MINIMUM OF 1% (1/8" PER FOOT) TO PROVIDE POSITIVE DRAINAGE.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND GRADES ON THE GROUND AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE ENGINEER.
- ALL GRADING IS TO BE SMOOTH AND CONTINUOUS WHERE PROPOSED PAVEMENT MEETS EXISTING PAVEMENT. EXISTING PAVEMENT EDGES ARE TO BE SAW CUT. THE PAVEMENT JOINTS ARE TO BE EMULSION OILED AND SANDED.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES AND STRUCTURES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, ANY GOVERNING PERMITTING AUTHORITY AND "DIG SAFE" (811) AT LEAST 72 BUSINESS HOURS (EXCLUDING SATURDAY, SUNDAY AND HOLIDAYS) PRIOR TO ANY EXCAVATION WORK TO REQUEST EXACT FIELD LOCATION OF UTILITIES. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES INTERFERING WITH THE PROPOSED CONSTRUCTION AND APPROPRIATE REMEDIAL ACTION IS TO BE TAKEN BEFORE PROCEEDING WITH THE WORK. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLAN.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING ALL CONTROL POINTS AND BENCHMARKS NECESSARY FOR THE WORK.
- ALL PROPOSED DRAIN PIPE UNLESS STATED OTHERWISE SHALL BE 15" RC PIPE.
- A MINIMUM OF 18 INCHES OF VERTICAL CLEARANCE SHALL BE MAINTAINED WHERE WATER SERVICES CROSS STORM DRAIN LINES. WATER SERVICES SHALL BE ENCASED IN CONCRETE REGARDLESS OF CLEARANCE WHEN PASSING OVER DRAIN LINES. ENCASEMENT SHALL EXTEND ALONG WATER SERVICE A MINIMUM DISTANCE OF 10 FEET FROM THE CROSSING POINT OF THE OTHER PIPE AS MEASURED NORMALLY FROM ALL POINTS ALONG THE PIPE.
- ALL ROOF DRAINS SHALL BE INSTALLED TO A POINT 10 FEET FROM THE BUILDING WALL UNLESS OTHERWISE NOTED OR DETAILED.

UTILITY NOTES:

- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES AND STRUCTURES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANY, ANY GOVERNING PERMITTING AUTHORITY, AND "DIG SAFE" (811) AT LEAST 72 BUSINESS HOURS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) PRIOR TO ANY EXCAVATION WORK TO REQUEST EXACT FIELD LOCATION OF UTILITIES. THE ENGINEER SHALL BE NOTIFIED IN WRITING OF ANY UTILITIES INTERFERING WITH THE PROPOSED CONSTRUCTION AND APPROPRIATE REMEDIAL ACTION TAKEN BEFORE PROCEEDING WITH THE WORK. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLAN.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING ALL CONTROL POINTS AND BENCHMARKS NECESSARY FOR THE WORK.
- ALL WATER MAINS SHALL BE INSTALLED WITH A MINIMUM OF 5 FEET OF COVER AND A MAXIMUM OF 7 FEET OF COVER EXCEPT AS NOTED OR DETAILED OTHERWISE. WATER LINES MAY BE INSTALLED WITH LESS THAN 5 FEET OF COVER TO AVOID CONFLICTS. HOWEVER, ALL WATER LINES SHALL BE INSULATED IN AREAS WHERE THERE IS LESS THAN 4 FEET OF COVER.
- FLOWABLE FILL SHALL BE REQUIRED FOR THE CONNECTION TO THE WATER MAIN IN PROSPECT STREET.
- GENERALLY, WATER MAIN FITTINGS IDENTIFIED ON THESE DRAWINGS ARE SHOWN FOR INSTALLATION LOCATION PURPOSES. THE CONTRACTOR SHALL NOTE THAT NOT ALL FITTINGS ARE NOTED, SHOWN OR INDICATED.
- ALL WATER MAIN FITTINGS, TEES, HYDRANTS, ETC. SHALL BE RESTRAINED WITH FORMED CONCRETE THRUST BLOCKS.
- DOMESTIC WATER SERVICES 2.5 INCHES AND SMALLER SHALL BE 1 INCH POLYETHYLENE SERVICE PIPE. WATER SERVICES SHALL BE INSTALLED WITH APPROPRIATELY SIZED CORPORATION STOPS WITH APPROVED SADDLE, CURB, STOP AND BOX.
- ALL WATER MAINS SHALL BE AWWA C900 PVC PIPE, AND SHALL BE INSTALLED WITH APPROPRIATELY SIZED FITTINGS AND GATE VALVES.
- DOMESTIC WATER SERVICES SHALL BE INSTALLED WITH APPROPRIATELY SIZED GATE, BOX AND TEE FITTINGS.
- ALL WATER MAIN APPURTENANCES, MATERIALS, METHODS OF INSTALLATION AND TESTING REQUIREMENTS SHALL CONFORM TO THE TOWN OF SHREWSBURY REQUIREMENTS.
- PRESSURE AND LEAKAGE TESTING, DISINFECTION AND FLUSHING SHALL BE IN ACCORDANCE WITH ALL LOCAL MUNICIPAL STANDARDS AND REQUIREMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS IN CONNECTION WITH UTILITY TESTS, FLUSHING AND INSPECTION AS REQUIRED BY THE LOCAL MUNICIPALITY.
- THE PRIMARY WATER METER (AND BACKFLOW PREVENTER, IF REQUIRED) SHALL BE LOCATED AT THE POINT WHERE THE WATER LINE ENTERS THE BUILDING UNLESS OTHERWISE NOTED OR DETAILED ON THE DRAWINGS.
- A MINIMUM OF 12 INCHES OF VERTICAL CLEARANCE SHALL BE MAINTAINED WHERE WATER MAINS CROSS STORM DRAIN LINES.
- WHERE SANITARY SEWERS CROSS WATER MAINS, THE SEWER SHALL BE LAID AT SUCH AN ELEVATION THAT THE CROWN OF THE SEWER IS AT LEAST 18 INCHES BELOW THE INVERT OF THE WATER MAIN. IF THE ELEVATION OF THE SEWER CANNOT BE VARIED TO MEET THIS REQUIREMENT, THE WATER MAIN SHALL BE RELOCATED TO PROVIDE THIS SEPARATION OR CONSTRUCTED WITH MECHANICAL JOINT PIPE FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE SEWER SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER AS POSSIBLE. IF MECHANICAL JOINT PIPE IS NOT USED, THEN BOTH THE WATER MAIN AND SANITARY SEWER SHALL BE ENCASED IN CONCRETE FOR A MINIMUM DISTANCE OF 10 FEET FROM THE CROSSING POINT OF THE PIPES AS MEASURED NORMALLY FROM ALL POINTS ALONG THE PIPE.
- DUE TO THE SCALE OF THE SITEWORK DRAWINGS, EXACT LOCATION OF UTILITY STUBS FOR BUILDING CONNECTIONS SHALL BE SHOWN WITH THE BUILDING DRAWINGS. SERVICE STUBS TO THE BUILDINGS SHALL BE INSTALLED TO A POINT 10 FEET FROM THE BUILDING WALL UNLESS OTHERWISE NOTED OR DETAILED.
- ALL WATER AND SEWER CONSTRUCTION SHALL BE INSPECTED BY THE TOWN OF SHREWSBURY BEFORE BEING BACKFILLED. THE TOWN SHALL BE NOTIFIED AT LEAST 24 HOURS PRIOR TO THE REQUIRED INSPECTION.
- ANY WORK WITHIN THE TOWN RIGHT-OF-WAY SHALL CONFORM TO THE TOWN OF SHREWSBURY REQUIREMENTS. THE CONTRACTOR SHALL OBTAIN A STREET OPENING PERMIT PRIOR TO ANY CONSTRUCTION WITHIN THE TOWN RIGHT-OF-WAY.
- IRRIGATION SYSTEMS SHALL NOT BE CONNECTED TO THE MUNICIPAL WATER SUPPLY. IRRIGATION SYSTEMS SHALL ONLY BE INSTALLED AND CONNECTED TO A PRIVATE IRRIGATION WELL.
- ALL UNDERGROUND CONDUITS SHALL BE INSTALLED WITH TRACER TAPE.
- THE DEVELOPER SHALL PAY SHREWSBURY ELECTRIC LIGHT COMPANY (SELCO) FOR THE COMMON DRIVEWAY STREET LIGHTS (IF REQUIRED). THE COST SHALL DEPEND ON THE TYPE OF LIGHTS INSTALLED.



NOT FOR CONSTRUCTION

THIS PLAN IS FOR PERMITTING PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.

THIS IS TO CERTIFY THAT NOTICE FROM THE ZONING BOARD OF APPEALS APPROVAL WAS RECEIVED AND RECORDED BY ME ON

AND THAT NO NOTICE OF APPEAL OF SUCH APPROVAL WAS RECEIVED BY ME DURING THE TWENTY (20) DAYS AFTER RECEIPT AND RECORDING OF SUCH NOTICE OF APPEAL.

TOWN CLERK _____ DATE _____

PLAN REVISIONS:

NO.	DATE	DESCRIPTION	BY

TOWN OF SHREWSBURY ZONING BOARD OF APPEALS APPROVED

BEING A MAJORITY OF THE SHREWSBURY ZONING BOARD OF APPEALS

ENDORSED APPROVED DATE: _____



H. S. & T. GROUP, INC.
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS
75 HAMMOND STREET - 2ND FLOOR
WORCESTER, MASSACHUSETTS 01610-1723
PHONE: (508) 757-4944 FAX: (508) 752-8895
EMAIL: INFO@HSTGROUP.NET WWW.HSTGROUP.NET

GRADING AND UTILITY PLAN

COMMON DRIVEWAY OFF PROSPECT STREET, SHREWSBURY, MA 01545

APPLICANT:
BIRCH BRUSH REALTY TRUST
23 PETERSON ROAD, NATICK, MA 01760

OWNER:
MOHAMMED RAZIUDIN
140 PROSPECT STREET, SHREWSBURY, MA 01545

DATE: 4/3/2015 COMP'D: CAR FIELD: PS

SCALE: 1"=40' CAD: CAR FLD. BK: 031-124,130,132,140

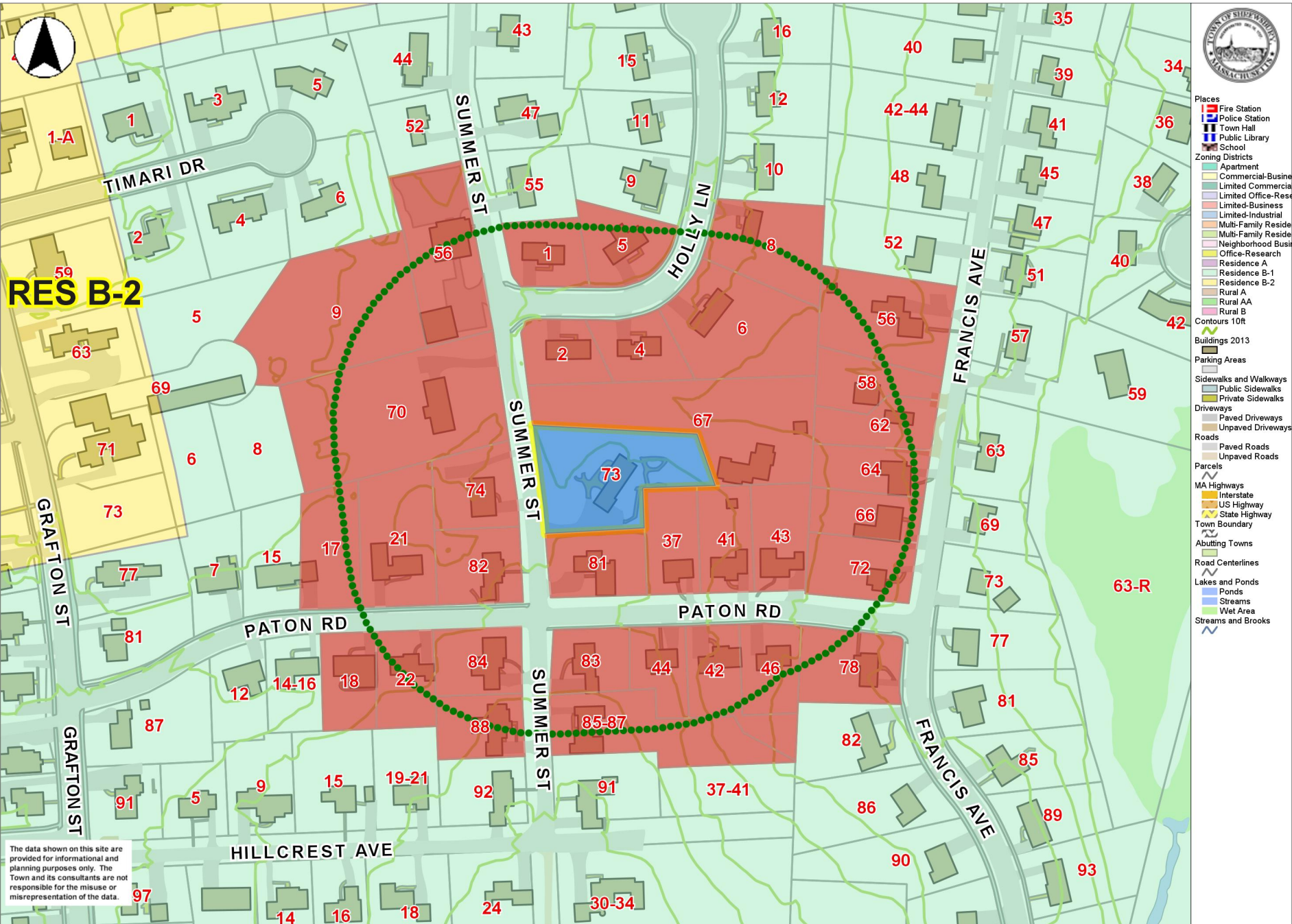
ZONE: RESIDENCE B-1 REV'D: DJT/HH DWG: PROSPECT-SHARED-DRIVE

JOB NUMBER: 5595 SHEET NUMBER

DWG NUMBER: 4867 3 of 3

Hearing

4



ZONING BOARD OF APPEALS
TOWN OF SHREWSBURY
MASSACHUSETTS

FORM OF APPEAL

Name of Appellant Matt George
Address of Appellant 73 Summer St.
Phone 774 275 7695 Fax _____
Email mattgeorgecdmatthew.com
Owner of Subject Property Matt George
Address of Owner 73 Summer St.
Phone 774 275 7695 Fax _____
Email mattgeorgecdmatthew.com
Location of Subject Property 73 Summer St.
Tax Plate 22 Plot 334
Zoning District B-1
Appeal for (Variance, Special Permit, Other) Special Permit
Applicable Section of Zoning Bylaw VI - TABLE I

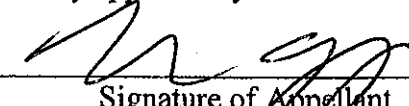
Pertinent Information: Here set forth the reason or reasons for this appeal including all facts essential to the appeal and attach plans of the premises affected. If applying for a Variance, state reasons for hardship: Slope, Soil, Topography, other. If applying for a Special Permit, state how project meets Special Permit criteria. (Attach extra pages if necessary).

Abby's parents have a second home in NH where they spend 2-4 days a week. On days when they are not in NH, Abby's mother helps care for our children as we both work full time.

~~Our purpose is~~ allowing her parents to live with us, enables them to continue going to NH while caring for our children ~~and~~ when they are here in Shrewsbury. This also allows us to help care for Abby's father who has a debilitating back ^{leg} problem ~~and~~ and struggles with stairs.

This residence will be ~~at~~ one floor and improve his quality of life.

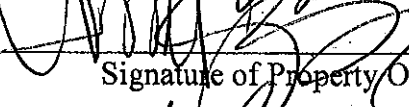
The undersigned respectfully appeals to your Board for a public hearing concerning the above matter


Signature of Appellant

3/23/15
Date


Signature of Property Owner(s)

3/23/15
Date


Signature of Property Owner(s)

3/23/15
Date

Reviewed for content P. Heenan
Signature of Inspector of Buildings Date 4-2-15

**PLOT PLAN
PREPARED FOR
MATTHEW J. & ABBYGAYL D. GEORGE
73 SUMMER STREET
SHREWSBURY, MASSACHUSETTS**

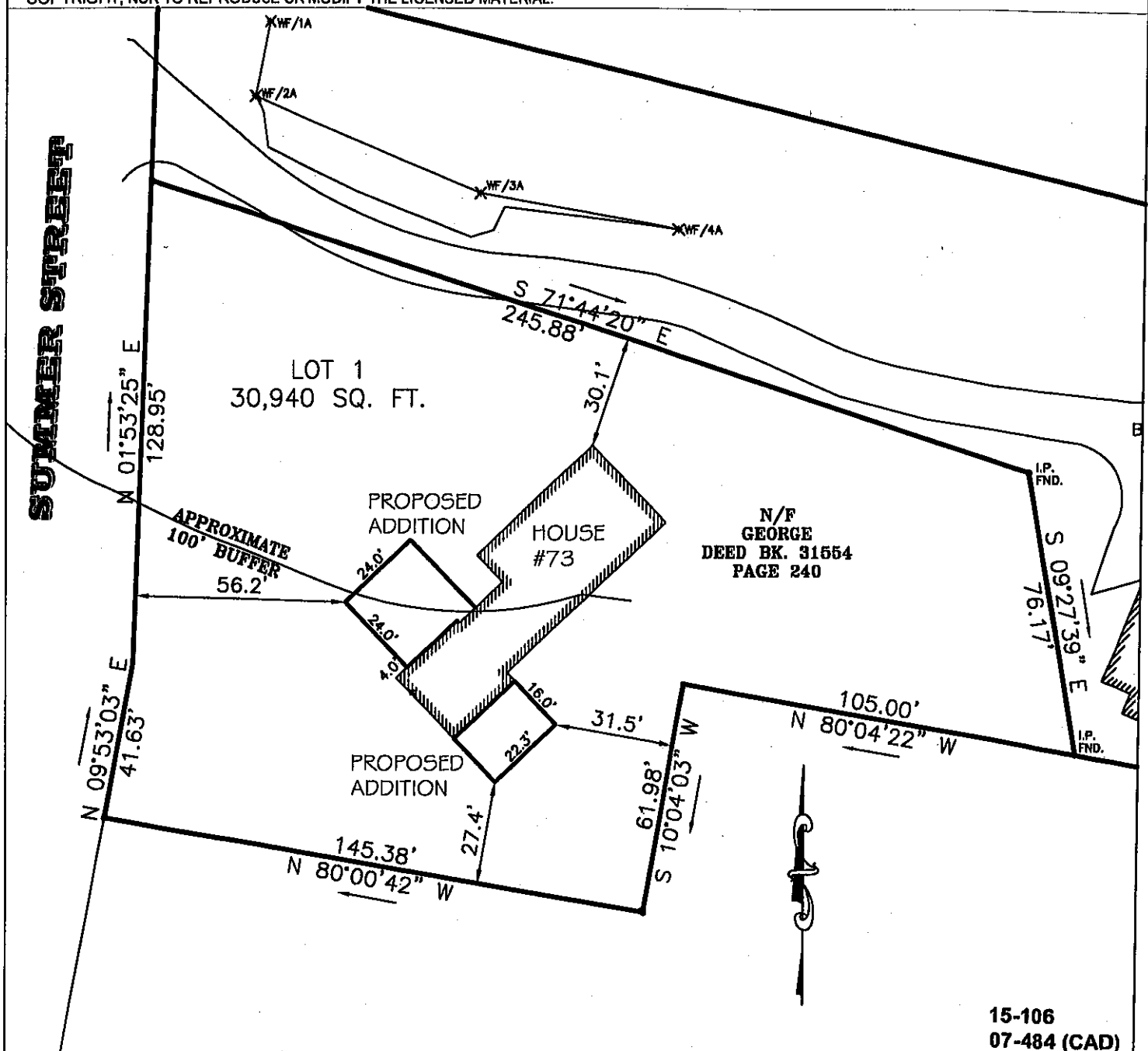
**APRIL 1, 2015
SCALE: 1 INCH = 40 FEET**

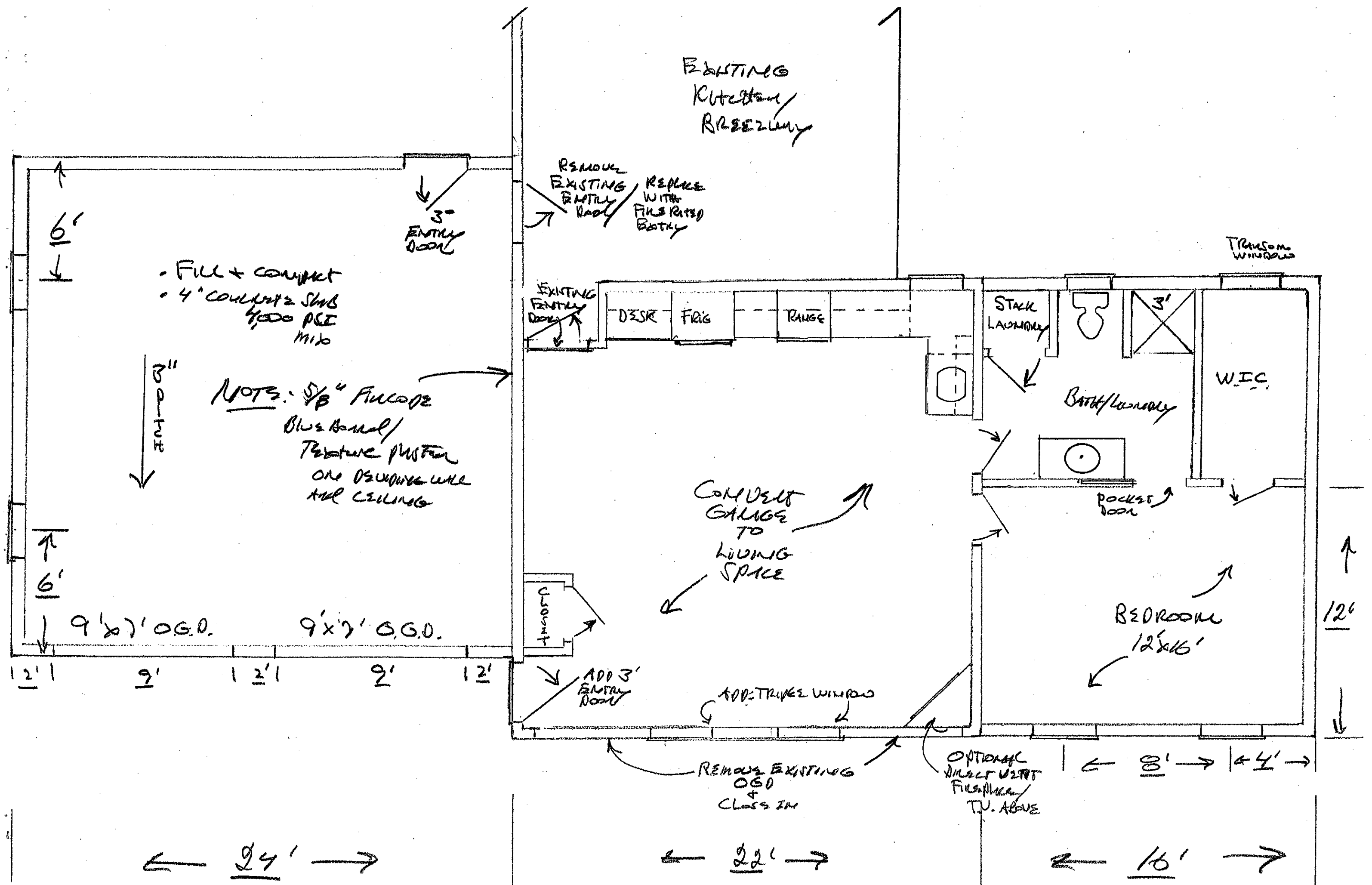
**JARVIS LAND SURVEY, INC
29 GRAFTON CIRCLE
SHREWSBURY, MA 01545
TEL. (508) 842-8087
FAX. (508) 842-0661
EMAIL: JARVISLAND@AOL.COM**

THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF
SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED
WITHOUT PERMISSION FROM THE SURVEYOR.

1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS SUCH A REPORT MIGHT DISCLOSE.
2. THIS PLAN HAS NOT BEEN PREPARED FOR RECORDING PURPOSES.
3. THE LICENSED MATERIAL CONTAINS VALUABLE PROPRIETARY INFORMATION BELONGING EXCLUSIVELY TO JARVIS LAND SURVEY, INC. THE LICENSED MATERIAL AND THE INFORMATION CONTAINED THEREON ARE COPYRIGHTED INSTRUMENTS OF PROFESSIONAL SERVICES AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PROJECT OTHER THAN THAT FOR WHICH THEY WERE CREATED, WITHOUT THE EXPRESS WRITTEN CONSENT OF JARVIS LAND SURVEY, INC. YOU AGREE NEVER TO REMOVE ANY NOTICES OF COPYRIGHT, NOR TO REPRODUCE OR MODIFY THE LICENSED MATERIAL.

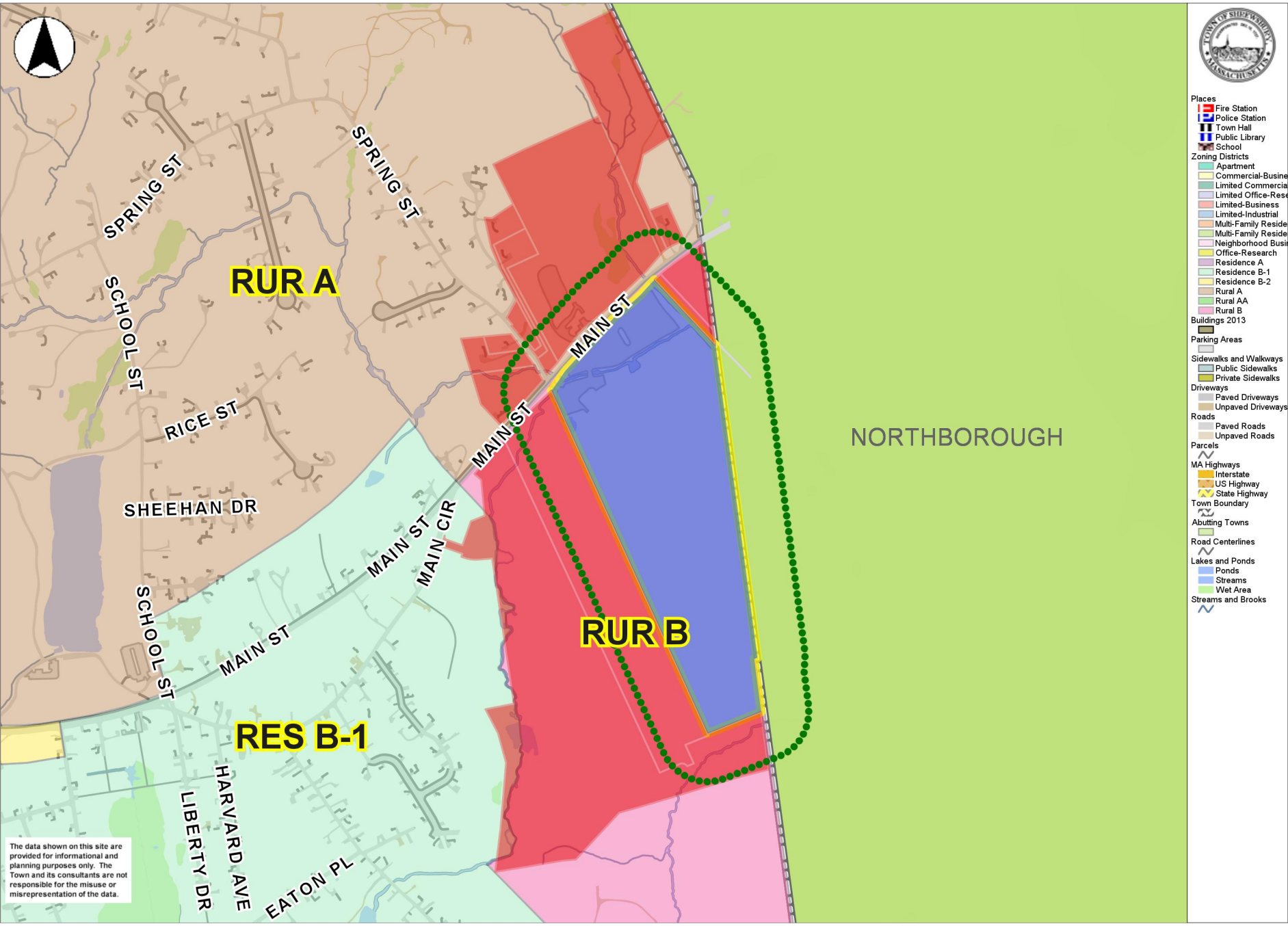
**ASSESSORS MAP 22
LOT 334**





Hearing

5



ZONING BOARD OF APPEALS
TOWN OF SHREWSBURY
MASSACHUSETTS

RECEIVED
TOWN CLERK'S OFFICE

2015 APR 23 PM 3:44

SHREWSBURY, MASS

FORM OF APPEAL

Name of Appellant Shrewsbury Farmers Market LLC

Address of Appellant 38 Stoney Hill Road

Phone 508/284-7314

Fax _____

Email melisahollenback@hotmail.com

Owner of Subject Property Lucy H. Ward

Address of Owner 993 Main Street Shrewsbury, MA 01545

Phone _____

Fax _____

Email none

Location of Subject Property 1000 Main Street, Shrewsbury MA 01545

Tax Plate 18

Plot 30

Zoning District Rural B

Appeal for (Variance, Special Permit, Other) Special Permit Amendment

Applicable Section of Zoning Bylaw Section VI Table I

Pertinent Information: Here set forth the reason or reasons for this appeal including all facts essential to the appeal and attach plans of the premises affected. If applying for a Variance, state reasons for hardship: Slope, Soil, Topography, other. If applying for a Special Permit, state how project meets Special Permit criteria. (Attach extra pages if necessary).

See Attached

The undersigned respectfully appeals to your Board for a public hearing concerning the above matter

Melissa Hollenback 4/3/15
Signature of Appellant Date

Lucy H. Ward 4/3/2015
Signature of Property Owner(s) Date

Signature of Property Owner(s) Date

Reviewed for Content K.D. Las 4/3/2015
Signature of Inspector of Buildings Date

Location within Ski Ward:

The Shrewsbury Farmers Market would like permission to be allowed to add a new onsite location to the previous area approved by the Zoning Board of Appeals filed with the Office of the Shrewsbury Town Clerk on April 3 2014. The previously approved area Zone #6; is very rocky, and cars exiting the parking lot were kicking up dust. We would like to continue to have permission to use Zone #6 and to ask permission to relocate to Zone #1 (see attached aerial photo). Zone #1 would allow us to be closer to the café, and restroom facilities, allow for better handicapped parking, and clear and separate parking from the main shopping area. We ask for approval to use both areas to allow us to plan for unforeseen issues and emergencies.

Increase in Vendors

Shrewsbury Farmers Market was approved for a 22 vendor farmer's market in May 2014, we would like to ask permission to increase the vendor limit to 30. Last year we did not exceed that limit; however at 18 full and part season vendors; we came close and we were missing certain categories of vendors who we will have this year. It seems wise to make this addition at the same time we are applying for other zoning issues.

Addition of live performed music to the market

SFM asks to have music performed by live musicians and singers during our approved market hours generally between 1pm and 7:30pm. The music will provide a causal and fun addition to the market, the band will not be used as a "draw" and attract huge crowds like a music festival. The band will be located toward the back of the market close to the slope, to allow for safe listening area away from entrance. Other successful events in town allow for live music, such the library music series on the common, the Shrewsbury Garden Party.

General Info

The 2015 Shrewsbury Farmers Market season will start on Wednesday June 17 ending on Wednesday September 30 with the constant hours of 2pm to 6:30pm. Traffic and parking control will be conducted by specially placed traffic barriers, signs and when needed human traffic directors.

Ski Ward does not have other events running concurrently with the market, the Wednesday night obstacle course run starts when the market ends, this allows for simple parking and traffic controls and no interference with each other. During regular operations they have not had more than 50 patrons during the market season. The Ski Ward Ski Area has 395 parking spaces as indicated on the aerial map, with clearly marked entrances and exits. 248 CMR Plumbing Code: # of Bathroom Fixtures for Occupants. The building occupancy is for 75 people and has 2 restrooms (1female, 1 male) with two stalls and 1 sink.

The emergency vehicles can access any entrance and with open road ways to the lodge, tubing area and to the farmers market which is close to the entrance. The handicapped parking and restrooms, building and market area is now much closer and easier to navigate than the previous site. The new location would allow for bathrooms within 75 feet of the new proposed market site. Section VII of the Zoning Bylaw: # of Required Parking Spaces. There are 6 possible parking areas for a total of 345 cars. Please view attached map for locations and layout.



PARKING AREAS: 395 total cars

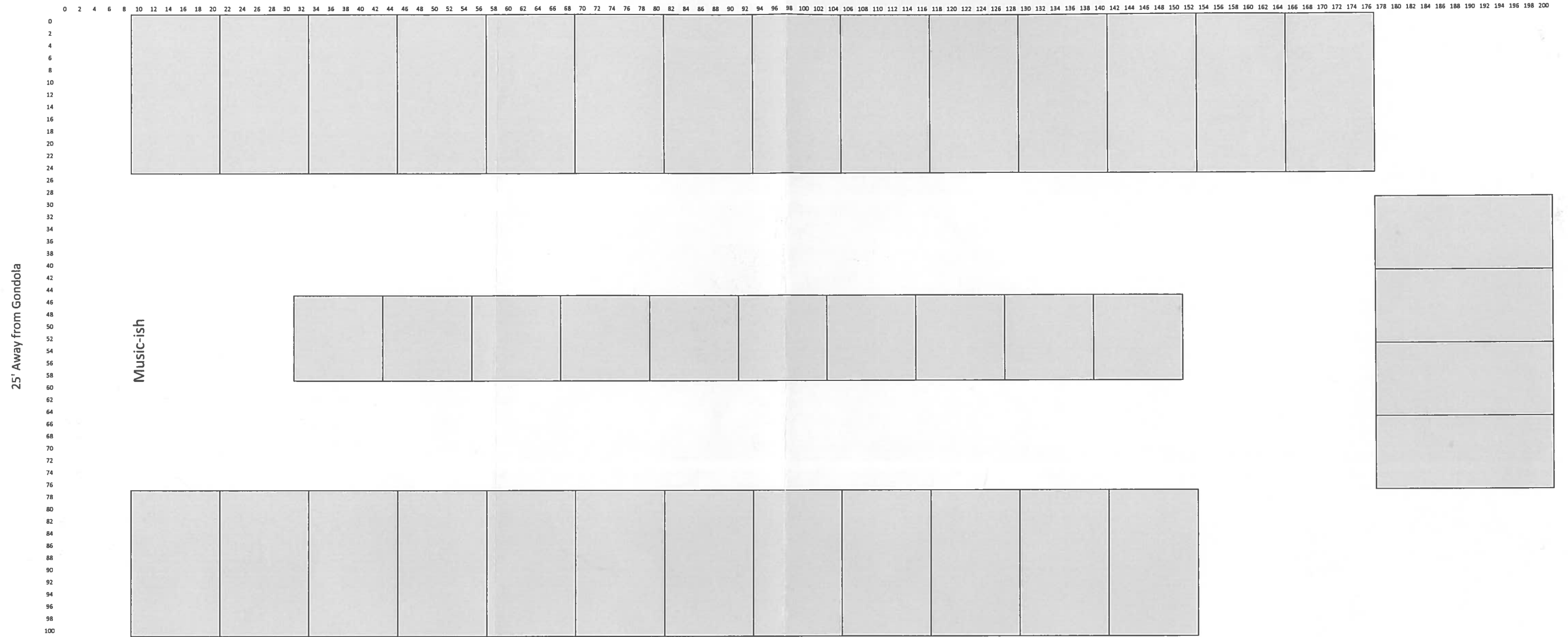
- #1: Approximately 75' long x 60' wide, fits 3 rows of cars, total of 30
- #2: Approximately 90' long, fits 1 row of cars, total of 8
- #3: Approximately 130' long, fits 1 row of cards, total of 12
- #4: Approximately 100' long, fits 2 rows of cars, total of 20
- #5: Approximately 285' long, fits 1 row of cards, total of 30
- #6: Approximately 185' long x 135' wide, fits 7 rows of cars, total of 70
- #7: Approximately 250' long x 180' wide, fits 10 rows of cards, total of 225

TRAVEL DISTANCE TO BATHROOMS

- From lot #1: 100'
- From lot #2: 115'
- From lot #3: 175'
- From lot #4: 260'
- From lot #5: 450'
- From lot #6: 400'
- From lot #7: 700'

*Trash & Recycling
located at either both
ends of zone 1*

Zone #1 Proposed Vendor Layout



2145M2000KA' M488
3012V6K 13 IN 3: 00
10AM CLEVELAND OFFICE
RECEIVED



2014 00049640

Bk: 62412 Pg: 234

Page: 1 of 3 05/10/2014 11:14 AM WD



RECEIVED
TOWN CLERK'S OFFICE

2014 MAY 15 PM 2:25

SHREWSBURY, MASS

TOWN OF SHREWSBURY

Zoning Board of Appeals

100 MAPLE AVENUE

SHREWSBURY, MASSACHUSETTS 01545

DECISION OF THE ZONING BOARD OF APPEALS REGARDING APPLICATION FOR VARIANCE AND SPECIAL PERMIT FOR PROPERTY AT 1000 MAIN STREET

***SHREWSBURY FARMER'S MARKET LLC
C/O 38 STONEY HILL ROAD, SHREWSBURY, MA***

Procedural History

- 1) An Application Form of Appeal was filed in the Office of the Shrewsbury Town Clerk on April 3, 2014.
- 2) The owner is Lucy H. Ward, 993 Main Street, Shrewsbury, MA, and the applicant is Shrewsbury Farmer's Market LLC, c/o 38 Stoney Hill Road, Shrewsbury, MA.
- 3) The subject property is located on Shrewsbury Assessor's Tax Plate 18, Plot 30.
- 4) The subject property is located within the Town's Rural B zoning district.
- 5) A public hearing was held on April 28, 2014. A copy of the minutes for this hearing is available in the office of the Building Inspector.
- 6) The application was accompanied by a copy of the Shrewsbury Assessor's Plate 18, and an aerial photo with attachments showing the proposed signs and vendor locations.

Findings

- 1) The appellant proposes to operate a 22 vendor farmer's market at 1000 Main Street, on Wednesdays between the first week of June and the third week of October. The farmer's market will operate during a six and a half hour period, generally between 1PM and 7:30PM.
- 2) A special permit for a farmer's market in the Rural B zoning district is required.
- 3) The appellant also proposes to locate a temporary sign, 4 feet wide by 5 feet high advertising the farmer's market.
- 4) Signs are not currently allowed in the Rural B zoning district.
- 5) The Zoning Board and Town staff reviewed the application, plans, and other submission material. The Zoning Board of Appeals was mindful of the statements and comments of the applicant, the abutters, and the general public.
- 6) The Board found that the farmer's market and the location of the sign will not create a nuisance by virtue of noise, odor, smoke, vibration, traffic generated, unsightliness or other conditions detrimental to the public good.
- 7) The Board found that the farmer's market and the sign would not be substantially more detrimental to the neighborhood or the public welfare.

Decision

The Shrewsbury Zoning Board of Appeals voted on April 28, 2014 to grant a Special Permit from the Shrewsbury Zoning Bylaw, Section VI Table I and a Variance from Section VII.E for a temporary sign to be located at 1000 Main Street.

The Special Permit and the Variance was granted by unanimous vote of the Board with the following conditions.

1. The farmer's market shall be held on Wednesdays from the first week in June to the third week in October for a 6.5 hour period, generally from 1PM to 7:30PM

Vote

Mr. George	Yes
Mr. Gordon	Yes
Mr. Schaetzke	Yes
Ms. Confalone	Yes
Ms. Lynch	Yes

In accordance with Chapter 40A, Section 15 of the Massachusetts General Laws, you are hereby advised that any person aggrieved by the decision of the Board relative to this matter must file an appeal as provided for in Section 17 of said Chapter 40A, within twenty (20) days from the date of the filing of this decision with the office of the Shrewsbury Town Clerk.

In accordance with Chapter 40A, Section 11, of the Massachusetts General Laws, you are hereby advised that the decision of the Town of Shrewsbury Zoning Board of Appeals relative to this matter has been filed in the office of the Shrewsbury Town Clerk and that such variance or Special Permit does not take effect until a copy of this decision is recorded in the Worcester District Registry of Deeds. Therefore, on or about June 5, 2014 you may obtain from the Shrewsbury Town Clerk a copy of said decision for recording, provided that no appeal of this decision has been filed.

CERTIFICATION OF TOWN CLERK OF NO APPEAL

This is to certify that Notice from the Zoning Board of Appeals of approval of the within decision was received and recorded by me on (May 15, 2014) at (2:25 P.M.) and no Notice of Appeal from such approval was received by me during the twenty days next after receipt and recording of such Notice of Approval.

Date

June 10, 2014

Sandra E. Wright
Town Clerk

Sandra E. Wright

RECEIVED
TOWN CLERK'S OFFICE
2014 MAY 15 PM 2:25
SHREWSBURY, MASS